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U. S. Provost marshal-general's Bureau.

Rules and Regulations Prescribed by the President

FOR LOCAL AND DISTRICT BOARDS

UNDER THE AUTHORITY VESTED IN HIM
BY THE TERMS OF THE ACT OF CONGRESS

TO AUTHORIZE THE PRESIDENT TO INCREASE
TEMPORARILY THE MILITARY ESTABLISH-
MENT OF THE UNITED STATES

APPROVED MAY 18, 1917

THESE RULES AND REGULATIONS MAY BE
MODIFIED AT ANY TIME BY THE PRESIDENT



FORM 13

WASHINGTON
GOVERNMENT PRINTING OFFICE
1917

MEMORANDUM.

There is here set out a general brief summary of the successive steps to be followed by local and district boards under the President's Regulations.

This summary is in general language and has no directive force whatsoever. It is not intended to alter or modify and shall not be understood or construed as in any sense or to any degree altering or modifying the provisions of the President's Regulations, which, being made by him pursuant to the provisions of statute, have the force and effect of law.

This summary is merely for the convenience of the members of the local and district boards with the thought that it may in some measure act as an aid in their study of the Regulations themselves.

The following are steps in the execution of the Selective Service Law:

1. The registration.
2. The creation and organization of local and district boards to consider the various questions of exemption and discharge arising under the law and the Regulations, to continue with necessary registrations, and to execute the other provisions of the law until the men have been finally selected for service.
3. The determination of the order in which registered men shall be called up for examination and selected for military service.
4. The assignment of quotas and the allotment of credits to the several States, Territories, and the District of Columbia and the subdivisions thereof.
5. The examination, in the order determined, of a sufficient number of registered men in each subdivision to fill the quota to go to the colors, and cover the exemption, partial exemption, exclusion, or discharge of those who are not to be selected for military service.
6. The notification to those selected for military service of the date upon which they must report to be assembled and sent to mobilization camps and the assembling of men selected for the military service and their transportation to mobilization camps.

The first step—registration—has been accomplished by what may be described as a system of supervised decentralization, and there has been created an administrative machine responding to the control of the President, through the Secretary of War and the office of the Provost Marshal General. The administrative areas have been the States, Territories, and the District of Columbia, and the execution of the law thus far in each area has been under the supervision of the governor, or the commissioners, through the office of the adjutant general. The working units in each States have been registration boards, normally one for each county and for approximately each 30,000 of the population of the cities of more than 30,000, in the latter case operating under the direction of the mayors. This machinery has demonstrated a splendid efficiency in the accomplishment, in a single day, of the registration of practically all males whose registration was required by statute.

Appreciative and keenly sensible of these services, the President is anxiously desirous to continue (so far as the positive provisions of law and the exigencies of the situation will permit) to avail himself, in the further execution of the law, of the services of those who have contributed so much to the success thus far attendant upon its administration, and he has, therefore, wherever it appeared feasible, appointed the registration personnel for the further work of the selective draft. In this connection he particularly wishes the governors and their respective adjutants general to continue generally to observe, as heretofore, all the operations incident to the enforcement of the law in their respective States and to report to the Provost Marshal General such matters as in their opinions should be brought to his attention in order that the law may be justly and efficiently enforced.

It is, moreover, expected that after the selection of men for service has been finally made under the act, State agencies will be further used, under the supervision of the governors and their adjutants general, in arranging for the mobilization of the men selected.

The registration regulations heretofore published have governed the first of the steps above outlined. The functions of registration which still remain to be accomplished are described in the President's regulations.

The remaining operations yet to be performed under the statute will be carried out under the regulations issued by the President pursuant to and in accordance with the power and authority given him by statute.

Speaking in summary of the present regulations—

They provide that the President shall create local and district boards to carry out the selective draft prescribed in the statute; that the local boards shall immediately upon their organization

take over from the registration boards or other proper person or persons all the registration cards and all copies thereof which such registration boards or other person or persons possess; that the registration boards shall thereupon cease to exist, and that the other person or persons above referred to shall have no further rights or duties with reference to registration—the duties of such boards, person, or persons being thereafter performed by the local boards; that each local board shall give to each and every original registration card coming into its possession a number known as a “serial number”—the cards being thus numbered consecutively from 1 upward without being arranged alphabetically and without regard to alphabetical order, the same “serial number” being placed upon the corresponding copy of each registration card; that a list of the persons registered shall be made (one copy of which shall be posted to public view) and such list shall show the “serial number” assigned to each person; that a determination shall be made of the order in which the persons registered shall be liable to be called for examination and as to whether they shall be exempted, discharged, or accepted in the service; that the local boards shall then pass upon the qualifications of each person coming before them in accordance with such call as to all matters of exemption, exclusion, or discharge provided for by the statute, except those matters having to do with industrial and agricultural exemptions, which are passed upon by the district board only; that either the person examined or the Government may take an appeal from the decision of the local board or of the district board; that the President under the rules and regulations to be prescribed by him may affirm, modify, or reverse the decisions of the district board; and that if a person is held for service after such examination, he shall be given notice of the time when the military status attaches, at which time the person passes into the jurisdiction of the military authorities.

The plan to be followed in carrying out these operations is as follows:

1. The registration being completed and the registration cards being ready for use in further proceedings, the President will appoint with the power of removal (see Regulations, sec. 5) the members of the local and district boards.

2. One local board consisting of three or more members (see Regulations, sec. 4) will be appointed by the President for each county having less than 45,000 population (one local board being, when desirable, added for each additional 30,000 population) and one local board for each city of 30,000 population or over (one local board being added when desirable for approximately each additional 30,000 population). In certain States the States will be split up into

divisions with a local board for each division. (See Regulations, sec. 2, (a) and (b).)

3. One or more district boards consisting of as many members as may be desired shall be appointed by the President in each Federal judicial district of the United States, one in each Territory, and one in the District of Columbia.

4. The duties and functions of the local boards are prescribed by statute (see Regulations, sec. 1) and are briefly (a) taking the necessary steps for determining the order of liability for service of those registered, and (b) examining those called for service to determine whether they shall be exempted, discharged, or accepted for service.

5. The duties and functions of the district boards are also prescribed by statute (see Regulations, sec. 1) and are briefly (a) deciding appeals (which may be taken either by or in respect of the person being examined or by the Government) from the decisions of the local boards on matters falling under the jurisdiction of such boards, and (b) passing upon claims for discharge because of the relationship of the one making the claim to "industries, including agriculture, found to be necessary to the maintenance of the Military Establishment, or the effective operation of the military forces, or the maintenance of national interest during the emergency."

6. Wherever practicable the registration board will be reconstituted the local board.

7. As soon as practicable after a day to be named by the Provost Marshal General the members of the local boards must assemble and organize. (See Regulations, sec. 7.)

8. The boards shall organize by having the sheriff of the county as executive officer of the board. If the sheriff is not a member, the board elects its own executive officer. Another member shall be made the clerk of the board. The third member may be a physician. (See Regulations, sec. 7.)

9. Any member of the board may be removed by the President.

10. Immediately upon organizing, the local board shall demand, and the board of registration or other person or persons having any of the cards in possession shall deliver to the local board, each and every registration card which is in the possession of either or any of them. The registration officers will deliver at the same time one copy of each and every such registration card. (See Regulations, sec. 8.)

11. The functions of each board of registration and of all other persons acting in like capacity shall cease and determine upon the delivery of the registration cards to the local boards, which boards shall thereafter themselves perform all such functions. (See Regulations, sec 8.)

12. Upon receiving the registration cards each local board shall immediately take the following proceedings in connection therewith:

(a) Forward to the proper board any registration card which was not filed within the area of the board finding itself in possession of the card. (See Regulations, sec. 8.)

(b) Within three days, if practicable, from the date of its organization each local board shall give to each and every registration card in its possession a separate "serial number," beginning with 1 and running on up. For this purpose the cards should not be arranged or regarded alphabetically. The same "serial number" must be given to the copy of the card that was given to the original. (See Regulations, sec. 9.)

(c) If the board has any original cards of which it has no copies, it must, within the time above specified, copy each of said cards and place thereon the "serial number" which appears upon the original card of which it is a copy. (See Regulations, sec. 9.)

(d) So soon as the local board has completed the numbering of the cards and of the copies thereof, it will immediately forward the copies to the adjutant general of the State, if the local board is a county board, or to the mayor of the city, if the local board is a city board. In the latter case the mayor of the city will in turn immediately forward the copies to the adjutant general of the State. (See Regulations, sec. 9.)

(e) The local boards shall number and copy all other registration cards which come into their possession, whether they have made out such cards themselves for additional registrations or have received them from other boards, and shall from time to time as prescribed in the Regulations send forward copies of such cards to the adjutant general of the State, either directly or through the mayor, as the case may be.

13. The local boards shall prepare concurrently with their giving to the several registration cards their respective "serial numbers" a list of all persons whose registration cards are in their possession. This list shall be arranged in the order of the "serial numbers" beginning with number 1, each name on the list having opposite it the "serial number" belonging thereto.

The list shall be made in quadruplicate, one copy is kept by the local board, one copy is posted by the local board in a conspicuous place accessible to public view, one copy is made available by the local board for the use of the public press, which is requested to publish it, and one copy is sent by the local board to the Provost Marshal General in Washington.

Each day after the preparation of this list, each local board will prepare and post an additional list of the names found on any regis-

tration card which has that day come into its possession or which it has itself made out. The "serial number" which has been given to each person shall appear opposite his name on the list.

Other copies of each of these additional lists must be disposed of as were the copies of the first list. (See Regulations, sec. 10.)

14. Everything is now ready for the determination of the order in which the persons on this list are liable for military service. The method, manner, time or times, and place or places of such determination, will be prescribed by the President in regulations to be issued hereafter. (See Regulations, sec. 12.)

15. After such determinations have been made the President will apportion to the several States, Territories, and the District of Columbia the quotas to be furnished by each State, Territory, and the District of Columbia and will so notify the governor of each State and Territory and the Commissioners of the District of Columbia.

Quotas will be apportioned to the several States, Territories, and the District of Columbia in proportion to the population thereof.

The President will authorize the governor of each State and Territory and the Commissioners of the District of Columbia to apportion for him the quotas to be drawn and furnished by the several local boards within each such State, Territory, or the District of Columbia. (See Regulations, sec. 13.)

16. The President will also authorize the governor of each State and Territory and the Commissioners of the District of Columbia to allot to counties and to cities of 30,000 population and over the credits to which such counties and cities are entitled for enlistments in the National Guard and in the Regular Army as provided by statute.

17. A list of such persons so designated shall be made by each board, showing their names and residences, the order of their liability for service, and their respective "serial numbers." This list shall be posted in the offices of the respective boards, in a place accessible to public view. Within three days after the posting of said list, one copy thereof shall be sent to the Provost Marshal General, and one copy shall be given to the press with a request for the widest publicity. (See Regulations, sec. 14.)

18. Within the same time, three days, if practicable, the local board shall send by mail to each person so designated notice of such fact. (See Regulations, sec. 15.)

19. The local boards will first make the physical examination of all persons so designated in accordance with the provisions of the regulations and of special regulations which will be issued in due course. (See Regulations, sec. 16.) Local boards will bear in mind that all persons accepted by them will be reexamined for physical

disability by the Army surgeons, when such persons arrive at the rendezvous camps.

20. The physical examination having been completed, the board will next consider the matter of exemptions from service as set out in the Regulations, section 18.

The local board will issue certificates of exemption to all those whom it exempts under these regulations. (See Regulations, sec. 19.)

21. Having determined those who should be exempt under the regulations, the local boards will next consider who should be discharged in accordance with the provisions of section 20 of the Regulations.

The local board will issue a certificate of discharge to each person whom it discharges under these regulations. (See Regulations, sec. 23.)

22. These certificates of exemption and of discharge will be on forms provided by the Provost Marshal General, and shall be absolute, conditional, or temporary as the case may require. (See Regulations, sec. 22.)

Details concerning the subsequent taking up or modification of such certificates by the local boards and the obligations of the holders thereof with reference thereto will be found in the President's Regulations. (See Regulations, sec. 23.)

23. The local boards will certify to the respective district boards having jurisdiction as a list, made on a prescribed form, the names and detailed addresses of all persons drawn by such local boards who have not been exempted or discharged and a like list of all persons drawn by such local boards who have been exempted or discharged. (See Regulations, sec. 24.)

24. The local boards shall also file with the district board each claim for exemption or discharge, together with all affidavits and papers filed in connection with such claims for exemption or discharge, including the records of the physical examinations, and also a copy of each certificate of exemption or discharge issued by the board. (See Regulations, sec. 24.)

25. Each board shall keep its papers and documents in a file system that will provide for the separate filing of the papers and records of each individual in order to facilitate the orderly and prompt transmission of such records and papers to the district boards. (See Regulations, sec. 24.)

26. Within two days after certifying any such list as above described to the district board, the local board shall post a copy of such list in its office in a place accessible to the public view. It shall give another copy to the press with a request for publication.

The local board shall also, within the time specified above (within two days), send by mail to each person who has been certified to the

district board having jurisdiction as called for service and not exempted or discharged, a notice advising him of this fact. (See Regulations, sec. 25.)

27. Appeals may be taken from the final decisions of the local boards to the district boards, either by the person who has been called or by the person who filed the claim for exemption or discharge in respect of such person or by the Government. (See Regulations, secs. 26 and 27.)

DISTRICT BOARDS.

28. The members of the district boards are notified by the United States marshal of the respective judicial districts to assemble at the time and place designated by such marshal, and no organization of a board shall be made until at least a majority of the members appointed are present, ready and willing to serve and have taken an oath prescribed. (See Regulations, sec. 37.)

29. The board may act through a majority of a quorum. (See Regulations, sec. 37.)

30. At the first meeting of a board, of which a record shall be kept on a form provided by the Provost Marshal General, one member of the board shall be chosen to act as chairman and one to act as secretary. (See Regulations, sec. 37.)

31. Immediately upon the perfecting of the organization of the board, the secretary of the board shall notify the Provost Marshal General by telegraph of such fact. (See Regulations, sec. 37.)

32. The President may remove members of the boards and may fill vacancies. (See Regulations, sec. 35.)

33. The district board may act through committees. (See Regulations, sec. 37.)

34. The business of the district board will, as stated above (par. 5), be, first, to hear appeals, under conditions specified, from the final decisions of the local boards, and, second, to exercise original jurisdiction in the matter of claims made for discharge by persons engaged in certain industries, including agriculture. (See Regulations, secs. 38 and 39.)

35. Immediately after organization the district boards shall secure from the adjutant general of the State, Territory, or District the copies of the registration cards filed with that officer by the local boards within the area over which the district board has jurisdiction, and the adjutant general must furnish such copies, as also all additional copies which he may from time to time receive. (See Regulations, sec. 40.)

36. After the closing of proofs in any particular case of appeal from the local board the district board shall decide the case, and shall notify the person of the decision. If the decision is against

for ~~some~~ the person in whose behalf it is made, such person stands as called
of this for military service. (See Regulations, sec. 41.)

If the decision of the board is that the person should be dis-
charged, it shall issue to the person a certificate to that effect. The
person who Regulations prescribe the procedure to be followed by the district
board to keep itself advised as to the holders of these certificates,
(See Re and for the modification or withdrawal thereof. (See Regulations,
sec. 42.) When the appeal is made by the Provost Marshal General,
the district board notifies the proper local board of its decision, and
the local board then proceeds as if it had itself made such decision.
(See Regulations, sec. 43.)

37. Local boards give the same force and effect to all certificates
issued by the district boards that they give to certificates issued by
themselves. (See Regulations, sec. 42.)

38. The district board itself issues all certificates of discharge in
all cases where it has original jurisdiction. And provision is made
for its keeping advised regarding the whereabouts, etc., of the holder
of such a certificate and for the withdrawal or modification thereof.
(See Regulations, sec. 45.)

39. The President is authorized to affirm, modify, or reverse any
decision of a district board. Regulations governing this action will
be issued by him hereafter. (See Regulations, sec. 47.)

40. Each district board shall certify, on a form prepared by the
Provost Marshal General for that purpose, to the adjutant general
of the State, Territory, or District of Columbia, as the case may be,
the serial numbers, names, and detailed addresses of all persons called
by local boards within the jurisdiction of such district board who
have not been exempted or discharged. Upon receipt of such certi-
fication the adjutant general shall by mail notify each man whose
name has been so certified that he has been selected for military
service and shall order him to report in person at a specified time and
place, to be fixed pursuant to advices from The Adjutant General of
the Army, for military service. From the time so specified each
man so notified shall be in the military service of the United States.

41. Detailed regulations governing the last step of the execution
of the law—the assembling of selected persons and the posting of
them to the colors—will be prescribed hereafter.

ENOCH H. CROWDER,
Provost Marshal General.

WAR DEPARTMENT,
Washington, 30th day of June, 1917.

Under authority vested in him by the act of May 18, 1917, the PRESIDENT OF THE UNITED STATES prescribes the following Rules and Regulations and directs that they be published for the government of all concerned, and that they be strictly observed.

NEWTON D. BAKER,
Secretary of War.

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- (e) Persons employed in the service of the United States designated by the President to be exempted.
- (f) Pilots.
- (g) Mariners actually employed in the sea service of any citizen or merchant within the United States.
- (h) Those in a status with respect to persons dependent upon them for support which renders their exclusion or discharge desirable.
 - (1) Any married man whose wife or child is dependent upon his labor for support.
 - (2) Any son of a widow dependent upon his labor for support.
 - (3) Son of aged or infirm parent or parents dependent upon his labor for support.
 - (4) Father of a motherless child or children under 16 years of age dependent upon his labor for support.
 - (5) Brother of a child or children under 16 years of age, who has (have) neither father nor mother, and is (are) dependent upon his labor for support.
- (i) Any person who is found by such local board to be a member of any well-recognized religious sect or organization organized and existing May 18, 1917, and whose then existing creed or principles forbid its members to participate in war in any form, and whose religious convictions are against war or participation therein in accordance with the creed or principles of said religious organizations.

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RULES AND REGULATIONS PRESCRIBED BY THE PRESIDENT UNDER THE AUTHORITY VESTED IN HIM BY THE TERMS OF THE ACT OF CONGRESS TO AUTHORIZE THE PRESIDENT TO INCREASE TEMPORARILY THE MILITARY ESTABLISHMENT OF THE UNITED STATES, APPROVED MAY 18, 1917. THESE RULES AND REGULATIONS MAY BE MODIFIED AT ANY TIME BY THE PRESIDENT.

PART A.

LOCAL BOARDS.

SECTION 1. *Provisions of the Act of Congress authorizing the President to create and establish local and district boards.*

SEC. 4. * * * The President is hereby authorized, in his discretion, to create and establish throughout the several States and subdivisions thereof and in the Territories and the District of Columbia local boards, and where, in his discretion, practicable and desirable, there shall be created and established one such local board in each county or similar subdivision in each State, and one for approximately each thirty thousand of population in each city of thirty thousand population or over, according to the last census taken or estimates furnished by the Bureau of Census of the Department of Commerce. Such boards shall be appointed by the President, and shall consist of three or more members, none of whom shall be connected with the Military Establishment, to be chosen from among the local authorities of such subdivisions or from other citizens residing in the subdivision or area in which the respective boards will have jurisdiction under the rules and regulations prescribed by the President. Such boards shall have power within their respective jurisdictions to hear and determine, subject to review as hereinafter provided, all questions of exemption under this act, and all questions of or claims for including or discharging individuals or classes of individuals from the selective draft, which shall be made under rules and regulations prescribed by the President, except any and every question or claim for including or excluding or discharging persons or classes of persons from the selective draft under the provisions of this act authorizing the President to exclude or discharge from the selective draft "Persons engaged in industries, including agriculture, found to be necessary to the maintenance of the Military Establishment, or the effective operation of the military forces, or the maintenance of national interest during the emergency."

The President is hereby authorized to establish additional boards, one in each Federal judicial district of the United States, consisting of such number of citizens, not connected with the Military Establishment, as the President may determine, who shall be appointed by the President. The President is hereby authorized, in his discretion, to establish more than one such board in any Federal judicial district of the United States, or to establish one such board

having jurisdiction of an area extending into more than one Federal judicial district.

Such district boards shall review on appeal and affirm, modify, or reverse any decision of any local board having jurisdiction in the area in which any such district board has jurisdiction under the rules and regulations prescribed by the President. Such district boards shall have exclusive original jurisdiction within their respective areas to hear and determine all questions or claims for including or excluding or discharging persons or classes of persons from the selective draft, under the provisions of this act, not included within the original jurisdiction of such local boards.

The decisions of such district boards shall be final except that, in accordance with such rules and regulations as the President may prescribe, he may affirm, modify or reverse any such decision.

Any vacancy in any such local board or district board shall be filled by the President, and any member of any such local board or district board may be removed and another appointed in his place by the President, whenever he considers that the interest of the Nation demands it.

The President shall make rules and regulations governing the organization and procedure of such local boards and district boards, and providing for and governing appeals from such local boards to such district boards, and reviews of the decisions of any local board by the district board having jurisdiction, and determining and prescribing the several areas in which the respective local boards and district boards shall have jurisdiction, and all other rules and regulations necessary to carry out the terms and provisions of this section, and shall provide for the issuance of certificates of exemption, or partial or limited exemptions, and for a system to exclude and discharge individuals from selective draft.

SEC. 2. LOCAL BOARDS—(a) *In counties.*—There shall be and hereby is created and established, as authorized by the terms of said act of Congress, a local board in each county (in each parish of the State of Louisiana) of the several States of the United States, except as otherwise provided by these rules and regulations.

Each local board shall have exclusive original jurisdiction in its respective county in respect of all persons who registered with a registrar or board of registration therein, or registered thereafter with the local board therein as hereinafter provided; and in respect of any person whose registration card, in accordance with the regulations hereinafter prescribed, is delivered to and remains in the possession of such local board, when the order in which such person is liable to be called for military service is determined by such local board.

Each local board shall have exclusive original jurisdiction in its respective area, in respect of all such persons, of all questions to be heard and determined therein by a local board, under the terms of said act of Congress and the rules and regulations prescribed by the President.

Each local board shall have exclusive authority to do and perform, in respect of such persons, all other acts authorized by said act of Congress or by the rules and regulations prescribed by the President to be done or performed by a local board within such area.

In any county of any State, having over 45,000 population, exclusive of the population of the cities therein of 30,000 population or over, there may be created and established, whenever in the discretion of the President it is deemed desirable, more than one local board.

In the event that more than one local board is so established in any such county, each local board therein shall have, possess, and exercise like jurisdiction, duties, powers, and authority within the respective areas designated for each of said local boards in respect of all persons who registered with a registrar or board of registration therein, or registered thereafter with the local board therein as hereinafter provided; and in respect of any person whose registration card, in accordance with the regulations hereinafter prescribed, is delivered to and remains in the possession of the respective local boards when the order in which such person is liable to be called for military service is determined by such local board, as in the case of one local board in a county.

In the event that more than one local board is created and established within such a county, each local board shall take, as near as practicable, into its possession, as hereinafter provided, the registration cards of all persons who registered within the areas designated for the respective local boards in such county.

In case, however, exact distribution of the registration cards is not so made, the local board exercising jurisdiction in any part of such a county upon receiving, as hereinafter provided by these regulations, and having in its possession, when the order in which such person is liable to be called for military service is determined by such local board, the registration card of any person registered in any part of such county shall have, possess, and exercise like jurisdiction, duties, powers, and authority, in respect of any such person, as in the case of a person who registered in the area in which such local board has jurisdiction.

Counties that have no administrative organizations and which for the purposes of registration under the terms of the said act of Congress were placed by the rules and regulations prescribed by the President governing registration, within the jurisdiction of the respective counties to which each of such counties pertains for judicial purposes under State law shall be held to be, for all purposes of these rules and regulations, within the jurisdiction of such counties to which they respectively pertain for judicial purposes.

The independent cities of Virginia, having less than 30,000 population, shall, for all the purposes of these rules and regulations be held to be within the respective counties in which the respective independent cities are designated to be when Local Boards are appointed by the President in such counties.

(b) *In States having no county administrative organizations and in Territories.*—In the following States, viz, Massachusetts, Connecticut, and Rhode Island, in which it is not deemed practicable and desirable to create and establish a local board in each county, and in the several Territories, there shall be and hereby is created and established, as authorized by the terms of said act of Congress, a local board, in divisions, of each of the above-enumerated States and of each of the several Territories, containing approximately (exclusive of cities of 30,000 population or over) a population of 30,000 each.

The divisions of such States and Territories will be hereafter designated, and when designated the local board in each such division shall have exclusive original jurisdiction in respect of all persons who registered with a registrar or board of registration therein, or registered thereafter with the local board therein as hereinafter provided; and in respect of any person whose registration card, in accordance with the regulations hereinafter prescribed, is delivered to and remains in the possession of the respective local boards when the order in which such person is liable to be called for military service is determined by such local boards.

Each such local board shall have exclusive original jurisdiction in its respective area, in respect of all such persons, of all questions to be heard and determined by a local board therein, under the terms of said act of Congress and the rules and regulations prescribed by the President.

Each such local board shall have exclusive authority to do and perform, in respect of such persons, all other acts therein authorized by said act of Congress or by the rules and regulations prescribed by the President to be done or performed by a local board therein as in the case of a local board in a county.

A local board in a county or in such a division of any State or Territory containing any city having 30,000 population or over shall not have or exercise any jurisdiction, power, or authority in the area in any such city.

(c) *In cities of 30,000 population or over.*—There shall be and hereby is created and established, as authorized by the terms of said act of Congress, a local board for approximately each 30,000 of population in each city of 30,000 population or over, designated by the President, in the several States and in the Territories. The District of Columbia shall be regarded and considered as one city.

Each local board in such cities, shall have like jurisdiction, duties, powers, and authority as in the case of a local board in a county, within the area to be designated for the respective local boards therein, in respect of all persons who registered with a registrar or board of registration therein, or registered thereafter with the local

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board as hereinafter provided; and in respect of any person whose registration card, in accordance with the regulations hereinafter prescribed, is delivered to and remains in the possession of the respective local boards when the order in which such person is liable to be called for military service is determined by such local board.

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In dividing any such city into areas, each containing approximately 30,000 population, the divisions shall, so far as practicable, correspond with the divisions, if heretofore made, for the purpose of the registration under the terms of said act of Congress and the rules and regulations prescribed by the President. Thereupon each local board shall take, as near as practicable, into its possession, as hereinafter provided, the registration cards of all persons who registered within the areas designated for the respective local boards in any such city.

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In case, however, such divisions in any such city do not correspond with the divisions previously made for the purpose of registration and exact distribution of the registration cards is not so made, the local board exercising jurisdiction in any division of such a city, upon receiving, as hereinafter provided by these regulations, and having in its possession, when the order in which such person is liable to be called for military service is determined by such local board, the registration card of any person registered in any part of such a city, shall have, possess, and exercise like jurisdiction, duties, powers, and authority in respect of any such person, as in the case of a person who registered in the division of such a city in which such local board has jurisdiction.

Sec. 3. *Designations of local boards.*—Local boards having jurisdiction in a county shall be designated and known as the Local Board for the County of ———, State of ———.

Should there be more than one local board established in any county, the respective divisions shall be designated and known as Division No. 1, Division No. 2, and so on, and the several local boards therein shall be designated and known as Local Board for Division No. 1 or No. 2, and so on, for the County of ———, State of ———.

In the case of a State, such as Massachusetts, which is divided into divisions, such divisions shall be designated and known as Division No. 1, Division No. 2, and so on, and the local board in each of such divisions shall be designated and known as the Local Board for Division No. 1 or No. 2, and so on, State of ———.

In the case of any city of 30,000 population or over, in which there is but one local board, such local board shall be designated and known as the Local Board for the City of ———, State of ———.

In the case of any such city which is divided into more than one division, the respective divisions thereof shall be designated and known as Division No. 1, No. 2, and so on, and the several local boards

in such divisions shall be designated and known as the Local Board for Division No. 1 or No. 2, and so on, City of ———, State of ———.

All certificates, reports, and records of such local boards shall bear upon their face the proper designation as above prescribed.

SEC. 4. *The qualifications for members of local boards.*—Each local board shall consist of three members, appointed by the President, one of whom, where practicable or desirable in the discretion of the President, shall be a licensed physician; provided, however, in his discretion, where advisable, the President may increase the membership of any local board.

The members of local boards must be citizens of the United States and must reside in the subdivision or area in which the local board, of which any person is appointed a member, has jurisdiction; and no person shall be appointed or act as a member of a local board who is connected with the Military Establishment of the United States.

SEC. 5. *Power to fill vacancies in any local board.*—Section 4 of said act of Congress provides that “any vacancy in any such local board or district board shall be filled by the President and any member of any such local board or district board may be removed and another appointed in his place by the President whenever he considers that the interest of the Nation demands it.”

SEC. 6. *Duty of members to notify Provost Marshal General and governor, or in cities of 30,000 population or over the mayor, of refusal to act or resignation.*—Any person appointed a member of a local board who refuses to accept such appointment, or any member of a local board who resigns as a member thereof, shall promptly notify by telegraph the governor of his State, Territory, or the Commissioners of the District of Columbia as the case may be (except in case such a person is appointed a member, or is a member, of a local board in a city of 30,000 population or over, when he shall promptly notify the mayor of his city instead of the governor of his State), of his refusal to accept the appointment or of his resignation. It shall be the duty of the other members of such a local board likewise to notify the governor or commissioners or mayor, as the case may be, of such refusal of a person to accept the appointment, or of such resignation, or of any vacancy.

Upon receiving notice of any such refusal, resignation, or vacancy, it shall become the duty of the mayor to notify the governor thereof. The governor or commissioners, as the case may be, shall report by telegraph any such refusal, resignation, or vacancy brought to his knowledge to the Provost Marshal General in Washington, together with the name or names of a person or persons recommended to be appointed by the President to fill any such vacancy or vacancies.

In the case of cities of 30,000 population or over the governor may, in his discretion, consult the mayors of such cities and obtain from

them the names of nominees for appointment to fill vacancies in the membership of the local boards in their respective cities.

SEC. 7. Organization of local boards.—As soon as practicable after a day to be hereafter fixed by the Provost Marshal General and communicated to the respective local boards by the Provost Marshal General or by the governors or commissioners, as the case may be, the persons who have been appointed members of a local board shall convene in their respective jurisdictions in the place formerly occupied by the registration board in that jurisdiction, or in such other place within the jurisdiction of such local board as the majority thereof may designate.

No organization of a local board shall be made until at least a majority of the members have been appointed and are ready and willing to serve, and shall have taken the prescribed oath.

The members of each local board shall take the following oath:

I, _____, having been appointed a member of the local board for _____ (county, division, or city, giving exact official designation of local board), State of _____, under the terms of the act of Congress approved May 18, 1917, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office upon which I am about to enter; so help me God.

Sworn to and subscribed before me, at _____, this _____ day of _____, 191—.

A majority of each local board shall constitute a quorum for the transaction of business, and a majority of those present at any meeting may decide any question before such board for decision. If, in the case of a board consisting of three members, any two members are unable to agree, the matter upon which they disagree shall be submitted to the board when all three members are present, in which case the vote of any two shall decide.

If the sheriff of a county is a member of the local board therein, he shall act as chairman and executive officer of such local board. If the sheriff is not a member, the board shall choose one of its members to be the chairman and executive officer. If one member of the board is a licensed physician, he shall act as examining physician of the local board, and a member shall be chosen by the board to act as clerk of such board. In the case of a local board having no licensed physician as one of its members, such board shall appoint a licensed physician, designated by the governor of the State or Territory or by the Commissioners of the District of Columbia,

as the case may be, to act as the examining physician of such local board.

In case the governor of any State or Territory or the Commissioners of the District of Columbia so desire, a licensed physician may be designated to act as examining physician of a local board of which a licensed physician is a member, and such examining physician so designated shall be appointed by such local board to act as the examining physician of such local board.

A record of the meeting at which each local board is organized shall be made on a form prepared by the Provost Marshal General and furnished the local boards for that purpose. The record of such meeting as entered on such form¹ must state the time and place of such meeting, the names of at least a majority of such local board and recite that they were personally present at such meeting, and recite the election of a chairman and executive officer and clerk. The record of such meeting must be signed by the chairman and clerk, respectively, of such local board. One copy of such record shall be retained by the local board and one copy thereof mailed to the governor of the State, Territory, or the Commissioners of the District of Columbia as the case may be.

The clerk of each local board shall, immediately after such organization, report by telegraph to the governor of his State or Territory that the organization of the board has been completed. The governor of each State or Territory shall report to the Provost Marshal General in Washington by telegraph the progress of the organization of local boards in his State or Territory.

The meetings of a local board, except adjourned meetings, shall be held after one day's notice posted in the office of said local board and mailed to the other members of the board at their places of residence by the clerk or by the chairman in the absence or refusal of the clerk to act. The meetings of a local board may be adjourned from time to time, and in such cases meetings may be held without notice to the members thereof other than the notice at the time of adjournment to those present: *Provided, however,* That any meeting held without notice at which all members of the local board are present shall be a legal meeting of such local board.

Local boards may make rules of procedure not inconsistent with said act of Congress or with these rules and regulations.

SEC. 8. *Local boards to take possession of registration cards.*—Upon the completion of the organization of a local board the chairman and clerk thereof shall at once demand and take into their possession all the registration cards and all copies thereof and records in connection therewith in the possession of any board of registration, or of any other person or persons having possession of regis-

¹ Use Form 205 or 205(a).

tration cards filed within the area in which the respective local boards have jurisdiction.

Upon demand being made by the chairman and clerk of a local board for such registration cards, copies and records in the possession of any board of registration, or of any other person or persons, it shall become and be the duty of the members of such board of registration, or of any other person or persons having possession thereof, to deliver immediately or cause to be delivered to such local board all such registration cards, copies, and records. Failure so to do will incur the penalty in such case made and provided by the laws of the United States.

The functions of each board of registration, after delivering all the registration cards, copies, and records in its possession to the local board having jurisdiction, shall thereupon cease and terminate, and thereafter the local boards shall within their respective jurisdictions perform all the duties and acts remaining to be performed by a board of registration within its jurisdiction under the terms and provisions of said act of Congress and under the rules and regulations prescribed by the President.

Upon receiving such registration cards it shall be the duty of a local board at once carefully to examine them for the purpose of ascertaining whether any registration card received by such local board was filed within the area of some other local board. If any registration card shall be received by a local board that was not filed within the area of such local board, such registration card, together with the copy thereof, shall at once be delivered in person, if practicable, or, if not practicable, then by mail to the local board having jurisdiction in the area in which such registration card was filed.

It shall be the duty of each person registered to examine the lists hereafter required to be posted to ascertain whether his registration card is in the possession of the local board exercising jurisdiction in the area in which the person registered, and to call any error to the attention of the local board.

In case, however, the registration card of any person is not delivered to the local board exercising jurisdiction in the area in which such registration card was filed, when the order in which such person is liable to be called for military service is determined by such local board, the local board for any county, or any division of a county, any city or any division of a city, or any division of a State or Territory, having the registration card of any person registered in any part of the State or Territory in which such local board has jurisdiction, in its possession, when the order in which such person is liable to be called for military service is determined by such local board, shall have, possess, and exercise like jurisdiction, duties, powers, and au-

thority in respect of any person whose registration card is then in its possession as though such person had registered within the area in which such local board exercises jurisdiction.

SEC. 9. *Duty of local boards to number registration cards.*—Immediately upon its organization, and, if practicable, within three days thereafter, each local board shall number each and every registration card then in its possession, beginning with number 1 and continuing consecutively until all registration cards are numbered. These numbers shall be known as “serial numbers” and must be entered on the face of each registration card in red ink between the words “Form 1,” occurring at the left-hand top of the card, and the words “Registration card.” The local board will at the same time give the same “serial number” to the copy of each registration card which it numbers.

The registration cards should not, for the purpose of assigning such “serial numbers,” be alphabetically arranged, but must be serially numbered without regard to the alphabetical arrangement of such registration cards.

As additional registration cards are thereafter received or made out by any local board, such cards shall be given a “serial number” in exactly the manner used in numbering the other registration cards. Such additional cards shall be numbered consecutively in the order in which they are received or made out. The first of such additional cards so received or made out shall bear the “serial number” next following the last “serial number” placed upon a registration card received from the registration officers; and other or additional cards received or made out thereafter shall bear the numbers next following this number in consecutive, numerical order.

In case any local board has in its possession any registration cards of which it has not copies it will immediately make such copies and will give to each of them the “serial number” which corresponds to the registration card of which it is a copy. The blank registration cards form (1) for such copies will be furnished by the governor of the State or Territory, or by the Commissioners of the District of Columbia, as the case may be.

When a local board has a copy of each card with its proper “serial number” thereon in its possession the clerk of the local board shall at once forward such copies by mail or express to the adjutant general of his State, Territory, or the District of Columbia, as the case may be, who will hold them for further instructions. In the case of cities of 30,000 population or over, however, the clerk of each local board will so forward such copies so made to the mayor of his city, who will in turn so forward them to the adjutant general of the State or Territory, to be held as in the case of copies of registration cards received directly from the clerks of local boards.

Each local board shall verify as to its accuracy each copy of each registration card so forwarded, by the signature or signed initials of one of the members of the local board.

The local board shall make a like copy, so verified, of each and every other additional card thereafter received or made out by it as the same is by it received or made out, and the clerk of each local board shall immediately and from day to day forward such copies of such additional cards to the adjutant general of his State or Territory, or to the Commissioners of the District of Columbia, as the case may be, or the mayor of his city as hereinbefore provided.

SEC. 10. *Local board to make lists of persons whose registration cards are in its possession.*—Concurrently with the numbering of the registration cards as above provided each local board must prepare four duplicate lists¹ of the names of all persons whose registration cards are in the possession of such local board. Such lists must contain the names of all such persons arranged in the order of their consecutive “serial numbers”—that is, the number in red ink on their respective registration cards—beginning with No. 1.

The local board shall retain one copy of such list. It shall, immediately upon completion of the list, post one copy in a conspicuous place, accessible to the public view, in the office of the local board; it shall at the same time make one copy accessible, in the office of the local board, to the press with a request for publication; and the clerk of the local board shall send one copy at the same time by mail to the Provost Marshal General in Washington.

Each local board must thereafter daily prepare in the same manner four duplicate lists of the names of all persons whose registration cards are thereafter received or made out by it each day, and the name of each person on such lists must be given its “serial number” in the manner hereinbefore provided; and each local board must daily retain, post, offer for publication, and mail copies of such additional lists so containing the “serial numbers” as above provided.

SEC. 11. *Provisions of said act of Congress authorizing the President to draft certain military forces and to make regulations therefor.*—Said act of Congress authorizes the President to raise by draft certain military forces therein enumerated, and section 2 of said act provides that:

* * * all other forces hereby authorized, except as provided in the seventh paragraph of section one, shall be raised and maintained by selective draft exclusively; but this provision shall not prevent the transfer to any force of training cadres from other forces. *Such draft* as herein provided shall be based upon liability to military service of all male citizens, or male persons not alien enemies who have declared their intention to become citizens, between the ages of twenty-one and thirty years, both inclusive, *and shall*

¹ Use form No. 101.

take place and be maintained under such regulations as the President may prescribe not inconsistent with the terms of this act. Quotas for the several States, Territories, and the District of Columbia, or subdivisions thereof, shall be determined in proportion to the population thereof, and credit shall be given to any State, Territory, District, or subdivision thereof, for the number of men who were in the military service of the United States as members of the National Guard on April first, nineteen hundred and seventeen, or who have since said date entered the military service of the United States from any such State, Territory, District, or subdivision, either as members of the Regular Army or the National Guard.

SEC. 12. *Method and manner of making draft to be prescribed by later regulations.*—A method, manner, time or times, and place or places will be prescribed by the President, by regulations to be hereafter issued, for each local board to determine the order in which the persons, whose registration cards are within the jurisdiction of the respective local boards in accordance with the regulations prescribed, are liable to be called for military service by the respective local boards to be physically examined, exempted, discharged, or finally accepted into the military service of the United States.

SEC. 13. *Determination of quotas to be called and furnished.*—The quotas to be called and furnished by the respective local boards shall be determined in accordance with said act of Congress and regulations to be hereafter prescribed by the President. The President will cause the quotas for the several States, Territories, and the District of Columbia to be determined and notice thereof to be communicated to the Governor of each State and Territory and to the Commissioners of the District of Columbia. The Governor of each State and Territory and the Commissioners of the District of Columbia, acting for and by the direction of the President, shall thereupon, in accordance with regulations to be hereafter prescribed by the President, determine the quotas to be called and furnished by the several local boards within such State, Territory, or District from the persons whose registration cards are within the jurisdiction of the respective local boards therein, and shall communicate notice thereof to each local board within such State, Territory, or District.

The quotas so determined shall be called and furnished by the respective local boards in the method, manner, and at the time or times and place or places prescribed by regulations hereafter to be issued by the President.

SEC. 14. *List of names of persons in the order of their liability for military service to be posted and mailed by local boards.*—As soon as practicable after the order in which the persons, whose registration cards are in the possession of the respective local boards, are liable to be called for military service shall have been determined by each local board, in accordance with the regulations hereafter prescribing the method, manner, time or times, and place or places of determining such

order, a list¹ of the names and residences of such persons in the order of their liability to be called for military service and having the "serial number" of the registration card of each such person before his name, and the "number," designating the order in which he will be called for military service after his name, shall be posted in the offices of the respective local boards in a place accessible to the public view.

As promptly as practicable thereafter a complete copy of such list shall be made accessible in the office of the respective local boards to the press with a request for publication; and one copy of such list shall be mailed by the clerk of the respective local board to the Provost Marshal General in Washington.

Such lists should be, if practicable, completed, posted, made accessible to the press, and mailed as above required within three days after the determination by each local board of the order of the liability of the persons within its jurisdiction to be called for military service.

Each of such lists must contain the names of all persons whose registration cards are in the possession of the respective local board and whose names have been copied upon the lists and supplemental lists required by section 10 of these regulations before the date to be hereafter fixed by the Provost Marshal General, and communicated to each local board by the Provost Marshal General or the governors of the respective States and Territories or by the Commissioners of the District of Columbia, as the case may be.

SEC. 15. *Persons to be called in their order and notice of call to be given.*—In furnishing the quotas required from the respective local boards each local board shall call the persons whose names are on the lists in the order of their liability for military service as fixed and stated on the lists required to be made by each local board by section 14 hereof.

When any person is called by a local board, notice² thereof shall be mailed by the clerk of such local board to each person so called, directed to the address on his registration card. Each such notice shall contain a direction to appear for physical examination as required by section 16 hereof, at a time and place fixed and stated in such notice.

SEC. 16. *Physical examination of persons called.*—A physical examination of each person called for service by a local board shall be made under the direction of such local board by the medical member thereof, or by some experienced licensed physician in good standing designated by the Governor of the State or Territory or by the Commissioners of the District of Columbia, as the case may require, and appointed by such board for that purpose.

¹ Use Form No. 102.

² Use Form No. 103.

Forms prepared by the Surgeon General of the Army for use in making the required physical examinations and regulations governing such examinations, prescribed by the President, will be furnished to local boards and examining physicians by the Provost Marshal General.

In making physical examinations and in basing conclusions on the results of such examinations examining physicians and local boards shall be guided, governed, and controlled by said forms and regulations, the provisions relating to physical examinations appearing in these regulations, and by the general rule that when an examining physician or a local board is in doubt as to whether or not any person examined is physically deficient and not physically qualified for military service, the doubt shall be resolved in favor of such person's physical qualification for military service and he shall be held to be physically qualified for such service.

The notices referred to in section 15 of these regulations shall carry a direction to the persons called to report at the office of the local board for physical examination on a date specified. This date should be fixed as follows: For approximately the first third of the list, the morning of the fifth day following the mailing of the notice; for approximately the next third of the list, the morning of the sixth day following the mailing of the notice; and for the remaining names on the list, the morning of the seventh day following the mailing of the notice. However, any person who, when called, is temporarily absent from the jurisdiction of the board by which he was called, or who is prevented by sickness from reporting for physical examination at the time fixed in the notice in his case, may report for physical examination on or before the tenth day after the mailing of the notice.

In addition to the medical member of the local board, or in addition to the examining physician designated and appointed as prescribed in section 7, one examining physician, designated as hereinbefore prescribed, may be appointed by each local board. Other additional examining physicians, designated as hereinbefore prescribed, may be appointed by the board as follows: One, if the number of persons to be examined on any one day shall exceed 80; two, if the number to be examined on any one day shall exceed 120; three, if the number to be examined on any one day shall exceed 160; and others in like ratio.

At the time fixed by each local board in the prescribed notices for physical examinations to be conducted under its direction, such board shall convene for the purpose of conducting such examinations and shall thereupon proceed with such examinations as expeditiously as practicable. Each person examined should be examined in the presence of at least one member of the local board other than

the medical member thereof. If the examining physician shall find the person examined physically deficient and not physically qualified for military service, the board shall cause him to be reexamined by another examining physician, designated and appointed as hereinbefore prescribed, who shall make the reexamination without reference to or regard for the report of the first examiner. Any member of the local board not present at the original examination shall, if practicable, be present at the reexamination. Upon completion of the physical examination by one or two examining physicians, as the foregoing rules may require, the local board conducting the examination shall pass upon the physical qualification for military service of the person examined, in accordance with the following rules: In any case in which no reexamination is required by the foregoing rules—that is, if the examining physician making the original physical examination shall have found the person examined physically qualified for military service—such person shall be held to be so qualified. In any case in which a reexamination is required by the foregoing rules, if the examining physician making the reexamination shall have found the person examined physically qualified for military service, or if both examining physicians shall have found the person examined physically deficient and not physically qualified for military service and the board does not concur in such findings, he shall be held to be physically qualified for military service. If both examining physicians shall have found the person examined physically deficient and not physically qualified for military service and the board concurs in such findings, he shall be discharged from the draft and a certificate¹ setting forth the conditions of such discharge shall be issued to him in accordance with these regulations.

Any person who when called for service and notified to appear for physical examination is absent from the area over which the local board by which he was called has jurisdiction and is unable to appear in person for examination by such board on or before the tenth day after the mailing of the notice directing him to appear for examination may, on or before said *tenth* day, file with said board an application, supported by satisfactory proof, for an order directing his physical examination by another board. If upon consideration of such application and proof the local board by which such person was called is satisfied that because of necessary absence it is impracticable for such person to appear for examination before such board, such board may enter an order directing his physical examination by another board, to be designated in said order. The local board so designated shall thereupon take and have jurisdiction to determine whether or not such person shall be held to be physically qualified for military service or shall be recorded as so qualified, and shall

¹ Use Form No. 107 or 108.

proceed in the same manner and with the same effect as if such person had been called by such board. Upon completion of the physical examination, or upon expiration of the period for appearance therefor, the record shall be transmitted by the local board so designated to the local board by which such person was called, and upon receipt of such record the same effect shall be given thereto as if said record had been made by the latter board.

If any person called by a local board and notified to appear for physical examination shall, due to sickness, be unable to report in person for physical examination, and on or before the *tenth* day after the mailing of the notice directing him to appear for such examination shall by affidavits, at least one of which shall be made by a licensed physician, establish such inability to the satisfaction of the board, such board may enter an order requiring an examining physician of such board to examine such person wherever he may be within the area over which such board has jurisdiction; and, in case a reexamination shall be required by these regulations, may require another examining physician of such board to reexamine such person wherever he may be within the area over which such board has jurisdiction.

In case any person called and notified in the manner prescribed of the day set for his physical examination does not appear for such examination on the day so set; or does not, if prevented by sickness or necessary absence from appearing upon the day so set, appear for such examination on or before the *tenth* day after the mailing of the notice directing him to appear for such examination; or does not, under the provisions of one or the other of the two paragraphs immediately preceding, file an application, accompanied by satisfactory proof, for physical examination elsewhere than at the office of the board by which he was notified to appear, such person shall be recorded as physically qualified for military service. However, if any person who has been so recorded shall show to the satisfaction of the board that, due to necessary absence or to sickness, he was not only unable to appear for such examination but was unable to file an application for examination elsewhere as hereinbefore authorized, such board may, in its discretion, enter the necessary order directing him to be physically examined in the manner hereinbefore prescribed.

If in any other case a person who has been so recorded shall subsequently report for physical examination the board may, in its discretion, cause him to be physically examined.

In such cases the physical examination and the conclusions based thereon shall be given the force and effect required to be given thereto if the person examined had reported for physical examination and been examined within the prescribed time.

If any person called by a local board and notified in the manner prescribed to appear for physical examination, or another person in respect of such person, shall file a claim for exemption on the ground that he is a subject of Germany, or that he is in the military or naval service of the United States, or an officer, legislative, executive, or judicial of the United States, or of one of the several States, Territories, or the District of Columbia, or that he is a resident alien—that is, a citizen or subject of a foreign State or nation other than Germany and has not declared his intention of becoming a citizen of the United States—and the board is of the opinion that there is reasonable ground for believing that any such person is entitled to exemption on the ground stated, such board may postpone the physical examination of any such person until after the claim shall have been heard. If such claim is denied, immediately thereafter notice in the manner hereinbefore prescribed shall be given to such person to appear for examination not earlier than the *fifth* day nor later than the *seventh* day after the mailing of such notice, with the same force and effect of an original notice to appear for physical examination.

In the case of a person who in the opinion of the board is a subject of Germany the physical examination may be postponed by the board until the board determines whether or not he is a subject of Germany, irrespective of whether or not he files a claim for exemption.

No examining physician shall participate in the physical examination or reexamination of any person who is related to such examining physician by blood or marriage nearer than a second cousin; nor shall any member of a local board participate in the physical examination or reexamination or pass upon the physical qualification for military service of any person who is related to such member either by blood or marriage nearer than a second cousin.

SEC. 17. Provisions of the act of Congress prescribing powers of local boards to hear and determine certain questions of exemption and discharge.

SEC. 4. That the Vice President of the United States, the officers, legislative, executive, and judicial, of the United States and of the several States, Territories, and the District of Columbia, regular or duly ordained ministers of religion, students who at the time of the approval of this act are preparing for the ministry in recognized theological or divinity schools, and all persons in the military and naval service of the United States shall be exempt from the selective draft herein prescribed;

* * * * *

Such boards shall have power within their respective jurisdictions to hear and determine, subject to review as hereinafter provided, all questions of exemption under this act, and all questions of or claims for including or discharging individuals or classes of individuals from the selective draft, which shall be made under rules and regulations prescribed by the President, except any and

every question or claim for including or excluding or discharging persons or classes of persons from the selective draft under the provisions of this act authorizing the President to exclude or discharge from the selective draft "persons engaged in industries, including agriculture, found to be necessary to the maintenance of the Military Establishment, or the effective operation of the military forces, or the maintenance of national interest during the emergency."

SEC. 18. *Persons or classes of persons to be exempted by a local board.*—The following persons or classes of persons, if called for service by a local board and not discharged as physically deficient, shall be exempted by such local board upon a claim for exemption being made and filed by or in respect of any such person, and substantiated in the opinion of the local board, and a certificate of absolute, conditional, or temporary exemption, as the case may require, shall be issued to any such person.

The claim to be exempted must be made by such person, or by some other person in respect of him, on a form¹ prepared by the Provost Marshal General and furnished by the local boards for that purpose. Such claim must be filed with the local board which notified such person that he is called for service on or before the *seventh* day after the mailing by the local board of the notice required to be given such person of his having been called for service.

The statement on the registration card of any such person that exemption is claimed shall not be construed or considered as the presentation of a claim for exemption.

(a) *Officers of the United States and of the several States, Territories, and the District of Columbia.*—Officers, legislative, executive, and judicial, of the United States, the several States, Territories, and the District of Columbia. The word "officers" shall be construed for the purpose of said act of Congress and these rules and regulations to mean any person holding a legislative, executive, or judicial office created by the Constitution or laws of the United States, or of any of the several States or Territories.

(b) *Ministers of religion.*—Any regular or duly ordained minister of religion.

(c) *Students of divinity.*—Any person who on the 18th day of May, 1917, was a student preparing for the ministry in any recognized theological or divinity school.

(d) *Persons in the military or naval service of the United States.*—Any person in the military or naval service of the United States.

(e) *Subjects of Germany residing in the United States.*—Any person who is a subject of Germany, whether such person has or has not declared his intention to become a citizen of the United States.

¹ Use Forms No. 110 or No. 111.

(f) *All other resident aliens who have not taken out their first papers.*—Any person who is a resident alien; that is, a citizen or subject of any foreign state or nation other than Germany who shall not have declared his intention to become a citizen of the United States.

Claims by or in respect of persons who claim exclusion or exemption on the ground that they are officers, legislative, executive, or judicial, of the United States, or of one of the several States, Territories, or the District of Columbia, or persons in the military or naval service of the United States, or subjects of Germany residing in the United States, or other resident aliens who have not taken out their first papers and whose physical examinations have been postponed shall, where practicable, first be heard and determined.

Any person who belongs to any of the classes above enumerated in this section shall be exempted upon the following conditions:

(a) *Officers of the United States and of the several States, Territories, and the District of Columbia.*—Any legislative, executive, or judicial officer of the United States, of the several States, Territories, or District of Columbia, upon presentation to such local board, at any time within 10 days after the filing of a claim of exemption by or in respect of such person, of an affidavit¹ made by himself stating the name and description of the office he holds and the date he was elected or appointed and when his term of office expires; and upon presentation by affidavits of such other evidence as may be required in the opinion of the local board to substantiate the claim.

(b) *Regular or duly ordained ministers of religion.*—Any duly ordained minister of religion, upon presentation to such local board, at any time within 10 days after the filing of the claim for exemption by or in respect of such person, of an affidavit² signed by such person, giving his place of residence and stating that he was duly ordained a minister of religion (giving name of church, religious sect, or organization by which ordained, the time and place of ordination); that he is still an ordained minister of religion, and that he is regularly engaged in the performance of the duties of a duly ordained minister of religion of said church, sect, or organization, as a vocation; and upon presentation of affidavits³ of two persons (heads of families) residing within the area in which such local board has jurisdiction, members of said church, religious sect, or organization to which such person belongs, stating that such person is a minister of said church, religious sect, or organization, and that he is engaged in the performance of the duties of a duly ordained minister of religion of such church, religious sect, or organization as a vocation.

Any regular minister of religion, upon presentation to such local board, at any time within 10 days after the filing of the claim of

¹ Use Form No. 112. ² Use Form No. 113. ³ Use Forms Nos. 113(a) and 113(b).

exemption by or in respect of such person, of an affidavit¹ signed by such person, giving his place of residence and stating that he is a regular minister of religion (giving the name of the church, sect, or religious organization to which he belongs, the time and place of entering upon the duties of such ministry), that he is regularly engaged in the performance of the duties of a regular minister of religion as a vocation; and upon presentation of affidavits² of two persons (heads of families) residing within the area in which the local board has jurisdiction, members of the said church, sect, or organization to which such person belongs, giving the place of residence of such person, and stating that he is a regular minister of religion of the said church, sect, or organization, and that he is regularly engaged in the performance of the duties of a regular minister of religion of said church, sect, or organization as a vocation.

A duly ordained minister of religion is a person who has been ordained, in accordance with the ceremonial, ritual, or discipline of a church, religious sect, or organization established on the basis of a community of faith and belief, doctrines and practices of a religious character, to preach and to teach the doctrines of such church, sect, or organization and to administer the rites and ceremonies thereof in public worship; and who as his regular and customary vocation preaches and teaches the principles of religion and administers the ordinances of public worship as embodied in the creed or principles of such church, sect, or organization.

A regular minister of religion is one who as his customary vocation preaches and teaches the principles of religion of a church, a religious sect or organization of which he is a member, without having been formally ordained as a minister of religion, and who is recognized by such church, sect, or organization as a regular minister.

The words "regular or duly ordained ministers of religion" do not include a person who irregularly or incidentally preaches and teaches the principles of religion of a church, religious sect or organization; nor do the words include a person who may have been duly ordained a minister in accordance with the ceremonial, rite, or discipline of a church, religious sect, or organization but who does not regularly, as a vocation, preach and teach the principles of religion and administer the ordinances of public worship as embodied in the creed or principles of his church, sect, or organization.

(c) *Students of divinity*.—Any person who, on the 18th day of May, 1917, was a student preparing for the ministry in any recognized theological or divinity school, upon presentation to such local board, at any time within 10 days after the filing of a claim of exemption by or in respect of such person, of an affidavit³ signed by

¹ Use Form No. 114.

² Use Forms Nos. 114(a) and 114(b).

³ Use Form No. 115.

such person stating that he was on the 18th day of May, 1917, a student in a designated school recognized as a theological or divinity school; and of an affidavit¹ signed by the president, dean, or head thereof, that such person was on the 18th day of May, 1917, a student preparing for the ministry in such theological or divinity school; and upon presentation by affidavits of such other evidence as may be required in the opinion of the board to substantiate the claim.

(d) *Persons in the military or naval service of the United States.*—Any person in the military or naval service of the United States, upon presentation to such local board at any time within 10 days after the filing of a claim of exemption by or in respect of such person, of an affidavit² signed by such person stating that he is in the military or naval service of the United States, and setting forth the particular branch of such service in which he is engaged and the date and period of his enlistment or engagement or of his acceptance of a commission, and stating that such enlistment or engagement, or acceptance of a commission, took place before such person received notice that he had been called by such local board; and upon presentation by affidavits of such other evidence as may be required in the opinion of the board to substantiate the claim.

The required proof may also be made by means of a certificate³ setting forth the above information signed by a commissioned officer of the branch of the service in which the person by or in respect of whom the exemption is claimed is serving.

The words "persons in the military and naval service of the United States," as employed in said act of Congress and in these Regulations, shall be construed as including: All officers and enlisted men of the Regular Army, the Regular Army Reserve, the Officers' Reserve Corps, and the Enlisted Reserve Corps; all officers and enlisted men of the National Guard and National Guard Reserve recognized by the Militia Bureau of the War Department; all officers and enlisted men of the Navy, the Marine Corps, and the Coast Guard; all officers and enlisted men of the Naval Militia, Naval Reserve Force, Marine Corps Reserve, and National Naval Volunteers, recognized by the Navy Department; all officers of the Public Health Service detailed by the Secretary of the Treasury for duty either with the Army or the Navy; and any of the personnel of the Lighthouse Service and of the Coast and Geodetic Survey transferred by the President to the service and jurisdiction of the War Department or of the Navy Department.

(e) *Subjects of Germany residing in the United States.*—Any person who is a subject of Germany, whether any such person has or has not declared his intention to become a citizen of the United

¹ Use Form No. 115(a).

² Use Form No. 116.

³ Use Form No. 117.

States, upon presentation to such local board, at any time within 10 days after the filing of a claim of exemption by or in respect of such person, of an affidavit¹ signed by such person setting forth the following information:

1. Date and place of birth.
2. Date of immigration into the United States.
3. Whether he has taken out his first papers—that is, declared his intention to become a citizen of the United States.
4. Present address; and upon presentation by affidavits of such other evidence as may be required, in the opinion of the board, to substantiate the claim.

No subject of Germany residing in the United States, whether he has taken out his first papers or not, will be accepted for service. When, in the opinion of a local board, any person called for service is a subject of Germany, whether he has or has not declared his intention to become a citizen of the United States, or whether he, or some other person in respect of him, has or has not filed a claim of exemption, he shall be exempted and a certificate of complete exemption issued to him.

(f) *All other resident aliens who have not taken out their first papers.*—Any person who is a resident alien—that is, a citizen or subject of any foreign State or nation other than Germany—who shall not have declared his intention to become a citizen of the United States, upon presentation to such local board, at any time within 10 days after the filing of a claim of exemption by or in respect of such person, of an affidavit² signed by such person setting forth the following information:

1. Date and place of birth.
2. Date of immigration into the United States.
3. Whether he has taken out his first papers—that is, declared his intention to become a citizen of the United States.
4. Present address; and upon presentation by affidavits of such other evidence as may be required in the opinion of the board to substantiate the claim.

SEC. 19. *Local boards to issue certificates of exemption.*—Each local board shall issue a certificate of exemption to each person by or in respect of whom a claim for exemption has been filed in accordance with these rules and regulations if, in the opinion of the local board, such claim has been substantiated as required by these rules and regulations and the right to a certificate of exemption established.

Each such certificate of exemption shall be on a form³ provided by the Provost Marshal General, shall be signed by the chairman and clerk of the board, and shall set forth the grounds and conditions

¹ Use Form No. 118.

² Use Form No. 119.

³ Use Form No. 120.

of the exemption and the duration thereof. Such certificate may be absolute, conditional, or temporary, as the case may require.

No exemption shall continue when a cause therefor no longer exists. Whenever a local board shall determine that the cause for the issuance by such local board of a certificate of exemption no longer exists, such local board shall at once revoke such certificate of exemption¹ and restore the name of the person to whom it was issued to the list of those called for service. Such board shall thereupon notify² such person of its action by mail directed to the address given on his registration card and require the surrender of the certificate of exemption issued to such person.

It shall thereupon be the duty of such person to surrender forthwith to such local board the certificate of exemption previously issued to him.

Any certificate of exemption may be withdrawn, modified, or renewed by the local board if, in the opinion of such local board, the circumstances of the case require that the certificate of exemption should be withdrawn, modified, or renewed.

Certificates of exemption shall require by their terms any person exempted conditionally or for a limited time to report, and it shall be the duty of such person to report, to the local board issuing the certificate immediately upon the expiration of the time specified, or whenever the conditions entitling such person to a certificate of exemption cease to exist.

Each certificate of exemption shall contain reference to the penalty clause of said act of Congress and also to the appropriate provisions of the Criminal Code of the United States setting forth the penalty incurred for failure to obey any provision of said act of Congress.

SEC. 20. *Persons or classes of persons to be discharged by a local board.*—The following persons or classes of persons shall, if called for service by any local board and not discharged as physically deficient or exempted in accordance with the regulations hereinbefore prescribed, be discharged by such local board upon a claim for discharge being made and filed by or in respect of any such person, and substantiated in the opinion of the local board, and a certificate of absolute, conditional or temporary discharge, as the case may require, issued to any such person.

The claim to be discharged must be made by such person, or by some other person in respect of such person, on a form³ prepared by the Provost Marshal General and furnished by the local boards for that purpose. Such claim must be filed with the local board on or before the *seventh* day after the mailing by the local board of the notice

¹ Use Form No. 165.

² Use Form No. 166.

³ Use Form No. 121 or 122.

required to be given such person of his having been called for service.

The statement on the registration card of any person that discharge is claimed shall not be construed or considered as the presentation of a claim for discharge.

(a) *County and municipal officers.*—Any county or municipal officer, including therein officers of counties, townships, cities, boroughs, parishes, towns, and villages, who has been elected to his office by popular vote and whose office may not be filled by appointment for an unexpired term, upon presentation to such local board at any time within 10 days after the filing of a claim for discharge by or in respect of such person, of an affidavit¹ made by the county clerk or like officer of the county, township, city, borough, parish, town, or village of which such person is an officer, stating the office held by such person and the date of his election, when his term of office expires, and that the unexpired term of such office may not be filled by appointment; and upon presentation by affidavits of such other evidence as may be required, in the opinion of the local board, to substantiate the claim.

(b) *Customhouse clerks.*—Any clerk employed in a customhouse of the United States upon presentation to such local board, at any time within 10 days after the filing of a claim of discharge by or in respect of such person, of an affidavit² signed by the collector or deputy collector having charge of the customhouse in which he is employed stating that he is a clerk in a customhouse of the United States and is, in his opinion, necessary to the effective operation or administration of such customhouse, and that he can not be replaced by another person without substantial material loss of efficiency in such operation or administration.

(c) *Persons employed by the United States in the transmission of the mails.*—Any person employed by the United States in the transmission of the mails, upon presentation to such local board, at any time within 10 days after the filing of a claim of discharge by or in respect of such person, of an affidavit³ signed by the postmaster, or some appointee of the President or Postmaster General having direct supervision of such employee, stating that such employee is, in his opinion, necessary to the effective and adequate transmission of the mails and can not be replaced by another person without substantial material loss of efficiency in the effective and adequate transmission of the mails.

(d) *Artificers and workmen employed in the armories, arsenals, and navy yards of the United States.*—Any artificer or workman employed in any armory, arsenal, or navy yard of the United States, upon presentation to such local board, at any time within 10 days

¹ Use Form No. 123.

² Use Form No. 124.

³ Use Form No. 125.

after the filing of a claim of discharge by or in respect of such person, of an affidavit¹ signed by the commandant or officer having command of the armory, arsenal, or navy yard of the United States in which such person is employed, stating that such person is, in his opinion, necessary to the efficient and adequate operation of such armory, arsenal, or navy yard of the United States and can not be replaced by another person without substantial material loss of efficiency in the effective and adequate operation of such armory, arsenal, or navy yard of the United States.

(e) *Persons employed in the service of the United States designated by the President to be exempted.*—Any person employed in the service of the United States, upon presentation to such local board at any time within 10 days after the filing of a claim of discharge by or in respect of such person, of an affidavit² signed by the official of the Government of the United States having direct supervision and control of the department, commission, board, bureau, division, or branch of the Government of the United States in which such person is employed stating that such person is, in his opinion, necessary to the adequate and effective operation of such department, commission, board, bureau, division, or branch in the service of the United States and can not be replaced by another person without substantial material loss in the adequate and effective operation of said department, commission, board, bureau, division, or branch in the service of the United States.

In the case of a person employed in the legislative or judicial branch of the Government the affidavit may be signed by the official under whom such person serves.

(f) *Pilots.*—Any licensed pilot regularly employed in the pursuit of his vocation, upon presentation to such local board at any time within 10 days after the filing of a claim of discharge by or in respect of such person, of an affidavit³ signed by the collector or deputy collector of the port from which such pilot regularly sails, stating that such person is a licensed pilot regularly employed in the pursuit of his vocation.

(g) *Mariners actually employed in the sea service of any citizen or merchant within the United States.*—Any mariner actually employed in the sea service of any citizen or merchant within the United States, upon presentation to such local board at any time within 10 days after the filing of a claim of discharge by or in respect of such person, of an affidavit⁴ signed by his employer stating that such person is, in his opinion, necessary to the adequate and effective operation of the sea service in which the person is employed describing the particular sea service operated and can not be replaced by another

¹ Use Form No. 126. ² Use Form No. 127. ³ Use Form No. 128. ⁴ Use Form No. 129.

person without substantial material loss of efficiency in the adequate and effective operation of such sea service.

The term "sea service" shall be construed for the purpose of said act of Congress, and of these rules and regulations to include the service of mariners actually employed in the marine service of any citizen or merchant within the United States on the Great Lakes and their connecting waters.

(h) Those in a status with respect to persons dependent upon them for support which renders their exclusion or discharge desirable.

(1) Any married man whose wife or child is dependent upon his labor for support, upon presentation to such local board, at any time within 10 days after the filing of a claim for his discharge by such married man, of an affidavit signed by him giving his name, age, and place of residence; the name and place of residence of his wife; the name(s), age(s), and place of residence of his child or children (if any); and stating that he is a married man, the husband of said wife, the father of her child or children; that such wife, child, or children is (are) dependent upon his labor for support as the term "labor" is used in these rules and regulations; that his income from which such wife and child or children received such support was mainly the fruit of his mental or physical labor, and was not mainly derived from property or other sources, independent of his mental or physical labor.¹

And upon presentation, within the time aforesaid, to such local board of a supporting affidavit signed by such wife giving her husband's name, age, and place of residence; her own name and place of residence; the name(s), age(s), and residence of their child or children (if any); and stating that she is the wife of such person, the mother of such child or children, and that he is the father of her child or children; the approximate amount of her separate income and the independent income of such child or children during the last preceding year, exclusive of any sums received from her husband, and exclusive of any gifts to her or her child or children, the same being merely the income derived from the separate or independent property of, or property held in trust for her, the child or children; that she or her child or children is (are) dependent upon her husband's labor for support, as the term "labor" is used in these rules and regulations; and that her husband's income from which she, her child or children received such support was mainly the fruit of his mental or physical labor, and was not income mainly derived from property or other sources, independent of his mental or physical labor.²

And upon presentation, within the time aforesaid, to such local board of a supporting affidavit signed by a head of a family residing

¹ Use Form No. 130.

² Use Form No. 130a.

within the area in which such local board has jurisdiction, giving the name, age, and place of residence of the husband whose discharge is sought; the name(s) and place of residence of his wife, child, or children (if any); and the age(s) of such child or children; that such person, his wife, his child or children are personally well known to affiant; and stating upon information and belief that such person is the husband of said wife, and the father of her child or children; the approximate amount of the separate or independent income of such wife, child, or children during the last preceding year, exclusive of any sums received from the husband, exclusive of any gifts, the same being merely the income derived from the separate or independent property of, or property held in trust for such wife, child or children; that such wife or child or children is (are) dependent upon her husband's labor for support, as the term "labor" is used in these rules and regulations; that the husband's income from which such support was received was mainly the fruit of his mental or physical labor, and was not income mainly derived from property or other sources, independent of his mental or physical labor; and stating on oath the sources of affiant's information and grounds for belief concerning the income and dependency of the wife, child, or children.¹

If the wife does not live within the area of such local board the affidavit of the head of a family may be made by such a person residing outside the area of such local board.

If the *claim for discharge is filed in respect of such husband by his wife*, then upon presentation, within the time aforesaid, to such local board of an affidavit signed by such wife giving her husband's name, age, and place of residence; her own name and place of residence; the name(s), age(s), and residence of their child or children (if any), and stating that she is the wife of such person and the mother of such child or children, and that he is the father of her child or children; the approximate amount of her separate income and independent income of such child or children during the last preceding year, exclusive of any sums received from her husband, and exclusive of any gifts to her, her child or children, the same being merely the income derived from the separate or independent property of, or property held in trust for her, the child, or children; that she or her child or children is (are) dependent upon her husband's labor for support, as the term "labor" is used in these rules and regulations; and that her husband's income from which she, her child, or children received such support was mainly the fruit of his mental or physical labor, and was not income mainly derived from property or other sources, independent of his mental or physical labor.²

¹ Use Form No. 130b.

² Use Form No. 131.

And upon presentation, within the time aforesaid, to such local board of two supporting affidavits signed by heads of families residing within the area in which such local board has jurisdiction, giving the name, age, and place of residence of the husband whose discharge is sought; the name(s), place of residence of his wife, child, or children (if any), the age(s) of such child or children; stating that said husband, wife, child, or children is (are) personally well known to him; and stating upon information and belief that the person sought to be discharged is the husband of such wife and the father of such child or children; the approximate amount of the separate or independent income, during the last preceding year, of such wife, child, or children, exclusive of any sums received from her husband, and exclusive of any gifts, the same being merely the income derived from the separate or individual property of or property held in trust for such wife, child, or children; that such wife, child, or children is (are) dependent upon the husband's labor for support, as the term "labor" is used in these rules and regulations; that the husband's income from which such support was received was mainly the fruit of his mental or physical labor and was not income mainly derived from property or other sources, independent of his mental or physical labor; and stating on oath the sources of affiant's information and grounds for belief concerning the income and dependency of the wife, child, or children.¹

If the wife does not live within the jurisdiction of the local board the affidavits required by heads of families may be made by such persons residing outside of the area of such local board.

If a claim for discharge is not filed by the husband or his wife, but by another person in respect of such husband, then upon presentation to such local board, at any time within 10 days after the filing of such claim, of an affidavit signed by the person who has filed the claim, giving his own name and place of residence of such person; the name, age, place of residence, and serial number of the husband whose discharge is sought; the name and place of residence of wife; the name(s), age(s), and place of residence of child or children (if any); and stating that the person making the affidavit filed the claim for discharge in respect of such husband; that he is personally well acquainted with such husband and his wife, child, or children; that the person whose discharge is sought is the husband of the said wife and the father of the said child or children; that he has personally made an investigation of the sources of income of the wife, child, or children, disclosing the nature and extent of such investigation and examination; the approximate amount of such wife's,

¹ Use Forms No. 131a-b.

child's, or children's separate or independent income during the last preceding year, exclusive of any sums received from the husband and exclusive of any gifts, the same being merely income derived from the separate or independent property of, or property held in trust for, the wife, child, or children; and stating that such wife, child, or children is (are) dependent upon the husband's labor for support, as the term "labor" is used in these rules and regulations; and that the husband's income from which his wife, child, or children received such support was mainly the fruit of his mental or physical labor, and was not income mainly derived from property or other sources, independent of his mental or physical labor.¹

The person filing such claim, and the affidavit above specified, shall present therewith the marriage certificate (or a certified copy) of the husband and wife mentioned in his affidavit. In default thereof the affidavits of two persons must be presented, stating that they were present at the marriage ceremony of such person and his wife; or, if not so present, that such person and his wife live together as man and wife and have lived together as such (giving the residence of such married persons) for the period of ——— years or months.²

And upon presentation, within the time aforesaid, to such local board of two supporting affidavits signed by heads of families, residing within the area in which such local board has jurisdiction, giving the name, age, and place of residence of the husband whose discharge is sought; the name and place of residence of his wife, the name(s), the age(s) of the child, or children (if any); stating that they are personally well known to him; and stating upon information and belief that the person sought to be discharged is the husband of such wife and the father of such child or children; the approximate amount of the separate or independent income, during the last preceding year, of such wife, child, or children, exclusive of any sums received from her husband, exclusive of any gifts to her, her child, or children, the same being the income derived from the separate or independent property of, or property held in trust for such wife, child, or children; that such wife, child, or children is (are) dependent upon the husband's labor for support, as the term "labor" is used in these rules and regulations; that the husband's income from which such support was received was mainly the fruit of his mental or physical labor, and was not income mainly derived from property or other sources, independent of his mental or physical labor; and stating on oath the sources of affiant's information and grounds for belief concerning the income and dependency of the wife, child, or children.³

¹ Use Form No. 132.

² Use Forms No. 132c-d.

³ Use Forms No. 132a-b.

If the wife does not live within the jurisdiction of the local board, the affidavits required by heads of families may be made by such persons residing outside of the area of such local board.

And upon presentation, within the time aforesaid, to such local board of a supporting affidavit of such wife stating the approximate amount of her, her child's, or children's separate or independent income during the last preceding year, exclusive of any sums received from her husband and exclusive of any gifts, the same being merely income derived from the separate or independent property of, or property held in trust for her, her child, or children; and stating that she, the said child, or children is (are) dependent upon the labor of such husband for support, as the term "labor" is used in these rules and regulations.¹

(2) *Any son of a widow dependent upon his labor for support*, upon presentation to such local board, at any time within 10 days after the filing of a claim for discharge, by such son, of an affidavit signed by him, giving his name, age, and place of residence; the name and place of residence of his widowed mother; and stating that he is the son of such widowed mother; the approximate amount actually contributed or expended by him during the last preceding year for her support; the approximate amount of her independent income during the last preceding year, exclusive of any sums received from him, and exclusive of any gifts to her, the same being merely the income derived from the independent property of, or the property held in trust for, such widowed mother; that such mother is dependent upon his labor for support as the term "labor" is used in these rules and regulations, and that his income from which she received such support was mainly the fruit of his mental or physical labor, and was not income mainly derived from property or other sources, independent of his mental or physical labor.²

And upon presentation, within the time aforesaid, to such local board of a supporting affidavit signed by the widowed mother giving her name and place of residence; the name, age, and place of residence of her son whose discharge is sought; stating that he is her son and that she is a widow; the approximate amount of her independent income, during the last preceding year, exclusive of any sums received from the said son, and exclusive of any gifts to her, the same being merely the income derived from her independent property, or property held in trust for her; the approximate amount actually contributed or expended by him during the last preceding year for her support, that she is dependent upon her son's labor for support as the term "labor" is used in these rules and regulations; that her son's income from which she received such support was mainly the fruit of

¹ Use Form No. 132e.

² Use Form No. 133.

his mental or physical labor, and was not income mainly derived from property or other sources, independent of his mental or physical labor.¹

And upon presentation, within the time aforesaid, to such local board, of a supporting affidavit signed by a head of a family residing within the area in which such local board has jurisdiction, giving the name, age, and place of residence of such son; the name and place of residence of his widowed mother; stating that such son and widowed mother are personally well known to him, and stating upon information and belief that she is the mother of the person whose discharge is sought; that her husband is dead; the approximate amount of her independent income during the last preceding year, exclusive of any sums received by her from her son, exclusive of any gifts, the same being merely the income derived from her independent property, or property held in trust for her; the approximate amount actually contributed or expended for her support by her son during the last preceding year; that the widowed mother is dependent upon her son's labor for support, as the term "labor" is used in these rules and regulations; that the son's income from which his mother received such support was mainly the fruit of his mental or physical labor, and was not income mainly derived from property or other sources, independent of his mental or physical labor; and stating on oath the sources of affiant's information and grounds for belief concerning her income, the approximate amount contributed or expended for her support by her son, the source of the son's income from which such support was paid, and the dependency of the mother.²

If the widowed mother does not live within the jurisdiction of the local board, the affidavit required by a head of a family may be made by such a person residing outside the area of such local board.

If the claim is filed in respect of such son by his widowed mother, then upon presentation, within the time aforesaid, to such local board of an affidavit signed by such widowed mother giving her name and place of residence; the name, age, and place of residence of her son whose discharge is sought; and stating that he is her son, and that she is his widowed mother; the approximate amount of her independent income, during the last preceding year, exclusive of any sums received from her son, and exclusive of any gifts to her, the same being merely the income derived from her independent property or property held in trust for her; the approximate amount actually contributed or expended by such son during the last preceding year for her support; that she is dependent upon her son's labor for support, as the term "labor" is used in these rules and regulations; that her

¹ Use Form No. 133a.

² Use Form No. 133b.

son's income from which she received such support was mainly the fruit of his mental or physical labor, and was not income mainly derived from property or other sources, independent of his mental or physical labor.¹

And upon presentation, within the time aforesaid, to such local board of two supporting affidavits signed by heads of families residing within the area in which such local board has jurisdiction, giving the name, age, and place of residence of such son; the name and place of residence of his widowed mother; stating that they are both personally well known to him, and stating upon information and belief that she is the mother of the person whose discharge is sought; that her husband is dead; the approximate amount of her independent income during the last preceding year, exclusive of any sums received by her from her son, exclusive of any gifts to her, the same being merely the income derived from her independent property, or property held in trust for her; the approximate amount actually contributed or expended for her support by her son during the last preceding year; that the widowed mother is dependent upon her son's labor for support, as the term "labor" is used in these rules and regulations; that the son's income from which his mother received such support was income mainly the fruit of his mental or physical labor, and was not income mainly derived from property or other sources independent of his mental or physical labor; and stating on oath the sources of affiant's information and grounds for belief concerning her income, the approximate amount contributed or expended for her support by her son, the source of the son's income from which such support was paid and the dependency of the mother.²

If the widowed mother does not live within the jurisdiction of the local board, the affidavits required by heads of families may be made by such persons residing outside the area of such local board.

If a claim for discharge is not filed by the son or by his widowed mother, but by another person in respect of such son, then upon presentation to such local board, at any time within 10 days after the filing of such claim, of an affidavit signed by the person who has filed the claim, giving the name, place of residence of such person; the name, age, place of residence and serial number of the son whose discharge is sought; and stating that the person making the affidavit filed the claim for discharge in respect of such son, giving the name and place of residence of the widowed mother; stating that he is personally well acquainted with the son and the widowed mother; that he has personally made an investigation and examination of the source of income of such widowed mother, disclosing the nature and extent of such investigation and examination; and stating, according to

¹ Use Form No. 134.

² Use Forms Nos. 134a-b.

the facts disclosed by such investigation and examination, the approximate amount of such mother's independent income during the last preceding year, exclusive of any sums received from her son, and exclusive of any gifts to her, the same being merely income derived from her property, or property held in trust for her; the approximate amount that such son has actually contributed or expended during the last preceding year for her support; and stating that such mother is dependent upon her son's labor for support, as the term "labor" is used in these rules and regulations; and that the son's income from which his mother received such support was mainly the fruit of his mental or physical labor, and was not income mainly derived from property or other sources, independent of his said mental or physical labor.¹

And upon presentation, within the time aforesaid, to such local board of two supporting affidavits signed by heads of families residing within the area in which such local board has jurisdiction, giving the name, age, and place of residence of such son, the name and place of residence of his widowed mother; stating that such son and widowed mother are personally well known to him; and stating upon information and belief that she is the mother of the person whose discharge is sought; and that her husband is dead; the approximate amount of her independent income during the last preceding year, exclusive of any sums received by her from her son, exclusive of any gifts to her, the same being merely the income derived from her independent property, or property held in trust for her; the approximate amount actually contributed or expended for her support by her son during the last preceding year; that the widowed mother is dependent upon her son's labor for support, as the term "labor" is used in these rules and regulations; that the son's income from which his mother received such support was mainly the fruit of his mental or physical labor, and was not income mainly derived from property or other sources, independent of his mental or physical labor; and stating on oath the sources of affiant's information and grounds for belief concerning her income, the approximate amount contributed or expended for her support by her son, the source of the son's income from which such support was paid, and of her dependency upon her son.²

If the widowed mother does not live within the jurisdiction of the local board, the two affidavits required by two heads of families may be made by such persons residing outside the area of such local board.

And upon presentation within the time aforesaid to such local board of a supporting affidavit by such widowed mother stating the

¹ Use Form No. 135.

² Use Forms Nos. 135a-b.

approximate amount actually received from her son by her for her support during the last preceding year; the approximate amount of her independent income during the last preceding year, exclusive of any sums received from her son and exclusive of any gifts to her, the same being merely income derived from her independent property or property held in trust for her; the approximate amount actually received from her son or expended by him on her behalf for her support during the last preceding year; and stating that she is dependent upon the labor of such son for support, as the term "labor" is used in these rules and regulations.¹

(3) *Son of aged or infirm parent or parents, dependent upon his labor for support*, upon presentation to such local board, at any time within 10 days after the filing of a claim for discharge by such son, of an affidavit signed by himself giving his name, age, place of residence, and the name(s), age(s), and place of residence of his said parent or parents; and stating that he is the son of the aged or infirm parent or parents; the infirmity (if any) of such parent or parents; the approximate amount of the independent income of such aged or infirm parent or parents during the last preceding year, exclusive of any sums received from such son, and exclusive of any gifts, the same being merely the income derived from the independent property of, or the property held in trust for, such parent or parents; the approximate amount actually contributed or expended by such son during the last preceding year for the support of such parent or parents; that such parent or parents is (are) dependent upon his labor for support as the term "labor" is used in these rules and regulations; and that his income from which such parent or parents received support was mainly the fruit of the son's mental or physical labor, and was not income mainly derived from property or other sources, independent of his mental or physical labor.²

And upon presentation, within the time aforesaid, to such local board of a supporting affidavit signed by such aged or infirm parent or parents, giving the name(s), age(s), and place of residence of such parent or parents; and the name, age, and place of residence of the son whose discharge is sought; and stating that he is the son of such parent or parents; the infirmity (if any) of such parent or parents; the approximate amount of the independent income of such aged or infirm parent or parents during the last preceding year, exclusive of any sums received from such son, and exclusive of any gifts, the same being merely the income derived from the independent property of, or the property held in trust for, such parent or parents; the approximate amount actually contributed or expended

¹ Use Form No. 135c.

² Use Form No. 136.

by such son during the last preceding year for the support of such parent or parents; and that such parent or parents is (are) dependent upon his labor for support as the term "labor" is used in these rules and regulations; and that his income from which such parent or parents received such support was mainly the fruit of the son's mental or physical labor, and was not income mainly derived from property or other sources, independent of his mental or physical labor.¹

And upon presentation, within the time aforesaid, to such local board of a supporting affidavit signed by a head of a family residing within the area in which such local board has jurisdiction, giving the name(s), age(s), and place of residence of such parent or parents; and the infirmity (if any) of such parent or parents; and the name, age, and place of residence of the son whose discharge is sought; stating that the said parent(s) and said son are personally well known to him; and stating upon information and belief that such person is the son of said parent or parents; the approximate amount of the independent income of such aged or infirm parent or parents during the last preceding year, exclusive of any sums received from such son, exclusive of any gifts, the same being merely income derived from the independent property of, or the property held in trust for such parent or parents; the approximate amount actually contributed or expended by such son during the last preceding year for the support of such parent or parents; that such parent or parents is (are) dependent upon the son's labor for support, as the term "labor" is used in these rules and regulations; and that the income of the son from which such parent or parents received such support was mainly the fruit of the son's mental or physical labor, and was not income mainly derived from property or other sources independent of his mental or physical labor; and stating on oath the sources of affiant's information and grounds of belief respecting the income of such parent or parents, the approximate amount contributed or expended by the son for such support, and the source of the son's income and of the dependency of the parent or parents.²

If the aged or infirm parent or parents does (do) not live within the area of such local board the affidavit of the head of a family may be made by such a person residing outside of the area of such local board.

If a claim for discharge is filed in respect of a son by his aged or infirm parent or parents, then upon presentation to such local board, at any time within 10 days after filing such claim, of an affidavit signed by such aged or infirm parent or parents, giving the

¹ Use Form No. 136a.

² Use Form No. 136b.

name, age, and place of residence of such son; the name(s), age(s), and place of residence of the parent or parents; and stating that such person(s) is (are) the father or (and) mother of the person whose discharge is sought, and the infirmity (if any) of such parent or parents; the approximate amount of the independent income of such aged or infirm parent or parents during the last preceding year, exclusive of any sum received from such son, and exclusive of any gifts, and the same being merely the income derived from the independent property of, or the property held in trust for, such parent or parents; the approximate amount actually contributed or expended by the son during the last preceding year for the support of such parent or parents; that such parent or parents is (are) dependent upon such son's labor for support, as the term "labor" is used in these rules and regulations; and that the income of such son from which the parent or parents received such support was mainly the fruit of the son's mental or physical labor, and was not income mainly derived from property or other sources independent of his mental or physical labor.¹

And upon presentation, within the time aforesaid, to such local board of two supporting affidavits signed by heads of families residing within the area in which such local board has jurisdiction, giving the name(s), age(s), and place of residence of such parent or parents, and the name, age, and residence of the son whose discharge is sought; stating that such son and parent(s) are personally well known to him; and stating upon information and belief that such person is the son of said parent or parents; that such parent or parents is (are) aged or infirm, stating the infirmity (if any) of such parent or parents; the approximate amount of the independent income of such aged or infirm parent or parents during the last preceding year, exclusive of any sums received from such son, exclusive of any gifts, the same being merely income derived from the independent property of, or the property held in trust for, such parent or parents; the approximate amount actually contributed or expended by such son during the last preceding year for the support of such parent or parents; that such parent or parents is (are) dependent upon his labor for support, as the term "labor" is used in these rules and regulations; that the income of the son from which such parent or parents received such support was mainly the fruit of the son's mental or physical labor, and was not income mainly derived from property or other sources, independent of his mental or physical labor; and stating on oath the sources of affiants' information and grounds for belief concerning the parent's or parents' income, the approximate amount contributed or expended by the son for such sup-

¹ Use Form No. 137.

port, and the source of the son's income and the dependency of the parent(s).¹

If the aged or infirm parent or parents does (do) not live within the area of such local board, the affidavits of the two heads of families may be made by two such persons residing outside of the area of such local board.

*If a claim for discharge is not filed by the son or by his aged or infirm parent or parents, but by another person in respect of such son, then upon presentation to such local board, at any time within 10 days after the filing of such claim, of an affidavit signed by the person who has filed the claim, giving the name and place of residence of such person; the name, age, place of residence, and serial number of the son whose discharge is sought, stating that the person making the affidavit filed the claim for discharge in respect of such son, and that he is personally well acquainted with such son and the aged or infirm parent or parents; stating the name(s), age(s), place of residence, and infirmity (if any) of such parent or parents; that he has personally made an investigation and examination of the sources of income of such parent or parents, disclosing the nature and extent of such investigation and examination; and stating according to the facts disclosed by such investigation and examination the approximate amount of such parent's or parents' independent income during the last preceding year, exclusive of any sums received from the son, and exclusive of any gifts to the parent or parents, the same being merely income derived from the independent property of, or property held in trust for, such parent or parents; the approximate amount that such son has actually contributed or expended during the last preceding year for the support of his parent or parents; stating that such parent or parents is (are) dependent upon the son's labor for support, as the term "labor" is used in these rules and regulations; and that the son's income from which his parent or parents received such support was mainly the fruit of his mental or physical labor, and was not income mainly derived from property or other sources, independent of his mental or physical labor.*²

And upon presentation, within the time aforesaid, to such local board of two supporting affidavits signed by heads of families residing within the area in which such local board has jurisdiction, giving the name, age, and residence of the son whose discharge is sought; the name(s) and place of residence of such parent or parents; stating that the said son and the said parent(s) are personally well known to him; and stating on information and belief the age(s) and

¹ Use Forms Nos. 137a-b.

² Use Form No. 138.

infirmity (if any) of such parent or parents; that he is the son of such parent or parents; the approximate amount of the independent income of such aged or infirm parent, or parents, during the last preceding year, exclusive of any sums received from such son, and exclusive of any gifts, the same being merely income derived from the independent property of, or the property held in trust for, such parent or parents; the approximate amount actually contributed or expended by such son during the last preceding year for the support of such parent or parents; that such parent or parents are dependent upon the son's labor for support, as the term "labor" is used in these rules and regulations; that the income of the son from which such parent or parents received such support was mainly the fruit of the son's mental or physical labor, and was not derived from property or other sources, independent of his mental or physical labor for continuance; and stating the sources of affiant's information and grounds for belief respecting the income of the parent or parents, the approximate amount contributed or paid out by the son for the support of his parent or parents, the source of the son's income, and the dependency of the parent or parents.¹

If the aged or infirm parent or parents does (do) not live within the area of such local board, the affidavits of the two heads of families may be made by two such persons residing outside of the area of such local board.

And upon presentation, within the time aforesaid, to such local board of a supporting affidavit of such aged or infirm parent or parents stating the approximate amount actually received from the son or expended by him for the support of such parent or parents, during the last preceding year; the approximate amount of the independent income of the parent or parents, during the last preceding year derived from the independent property of, or property held in trust for, the parent or parents, and stating that the parent or parents is (are) dependent upon the labor of such son for support, as the term "labor" is used in these rules and regulations.²

(4) *Father of a motherless child or children under 16 years of age dependent upon his labor for support*, upon presentation to such local board, at any time within 10 days after the filing of a claim for his own discharge by such father, of an affidavit signed by him giving his name, age, and place of residence; the name(s), age(s), and place of residence of his child or children under the age of 16 years; and stating that he is the father of such child or children; that the mother of such child or children is dead; the approximate amount of the independent income of such child or children during the last preceding year, exclusive of any sums received by such child

¹ Use Forms Nos. 138a-b.

² Use Form No. 138c.

or children from him and exclusive of any gifts, the same being merely income derived from the individual property of, or the property held in trust for such child or children; the approximate amount actually contributed or expended by him, during the last preceding year, for the support of such child or children; that such child or children is (are) dependent upon his labor for support, as the term "labor" is used in these rules and regulations; and that his income from which his child or children received such support was mainly the fruit of his mental or physical labor, and was not income mainly derived from property or other sources, independent of his mental or physical labor.¹

And upon presentation, within the time aforesaid, to such local board of two supporting affidavits signed by heads of families residing within the area in which such local board has jurisdiction, giving the name, age, and place of residence of the father whose discharge is sought; the names(s), age(s), and place of residence of his child or children; stating that the said father and the said child or children are personally well known to him; and stating upon information and belief that such person is the father of such child or children; that the mother of such child or children is dead; the approximate amount of the independent income of such child or children during the preceding year, exclusive of any sum received from such father, and exclusive of any gifts, the same being merely income derived from the independent property of, or property held in trust for such child or children; the approximate amount contributed or expended by the father, during the last preceding year, for the support of such child or children; that such child or children is (are) dependent upon the father's labor for support, as the term "labor" is used in these rules and regulations; that the income of the father from which the child or children received such support was mainly the fruit of the father's mental or physical labor, and was not income mainly derived from property or other sources, independent of his mental or physical labor; and stating on oath the sources of affiant's information and grounds of belief respecting the child's or children's independent income, the approximate amount contributed or expended by the father for the support, the sources of his income, and the dependency of the child or children.²

If a claim for discharge is not filed by the father, but by another person in respect of a father, then upon presentation, to such local board, at any time within 10 days after the filing of such claim, of an affidavit signed by the person who has filed the claim, giving the name and place of residence of such person; the name, age, place

¹ Use Form No. 139.

² Use Forms Nos. 139a-b.

of residence, and serial number of the father whose discharge is sought; that the person making the affidavit filed the claim for discharge in respect of such father; the name(s), age(s), and place of residence of the child or children under 16 years of age; stating that the person whose discharge is sought is the father of the said child or children; that he is personally well acquainted with such father and the said child or children; and stating that he has personally made an investigation and examination of the source of income of such child or children, disclosing the nature and extent of such investigation and examination; stating, according to the facts disclosed by such investigation and examination, the approximate amount of such child's or children's independent income during the last preceding year, exclusive of any sums received from the father, and exclusive of any gifts to the child or children, the same being merely income derived from the independent property of, or the property held in trust for, such child or children; that the child or children is (are) dependent upon the father's labor for support, as the term "labor" is used in these rules and regulations; the approximate amount that such father has actually contributed or expended during the last preceding year for the support of the child or children; and that the father's income from which the child or children received such support was mainly the fruit of his mental or physical labor, and was not income mainly derived from the property or other sources, independent of his mental or physical labor.¹

And upon presentation, within the time aforesaid, to such local board of two supporting affidavits signed by heads of families residing within the area in which such local board has jurisdiction, giving the name, age, and place of residence of the father whose discharge is sought; the name(s), age(s), and place of residence of the child or children of such father; stating that the said father and child or children are personally well known to him; stating, upon information and belief, that such person is the father of said child or children; that the mother of such child or children is dead; the approximate amount of the independent income of such child, or children, during the last preceding year, exclusive of any sum received from such father, and exclusive of any gifts, the same being merely income derived from the independent property of, or property held in trust for such child or children; the approximate amount actually contributed or expended by the father during the last preceding year for the support of such child or children; that such child or children is (are) dependent upon the said father's

¹ Use Form No. 140.

labor for support, as the term "labor" is used in these rules and regulations; that the income of the father from which the child or children received such support was mainly the fruit of the father's mental or physical labor, and was not income mainly derived from property or other sources, independent of his mental or physical labor; and stating on oath the sources of affiant's information and grounds for belief respecting the income of such child or children, the approximate amount actually contributed or expended by the father for such support, the sources of his income, and the dependency of the child or children.¹

(5) *Brother of a child or children under 16 years of age, who has (have) neither father nor mother, and is (are) dependent upon his labor for support*, upon presentation, to such local board, at any time within 10 days after the filing of a claim for his own discharge by such brother, of an affidavit signed by him giving his name, age, and place of residence; the name(s), age(s), and place of residence of such child or children under the age of 16 years; stating that he is the brother of such child or children, and that the father and mother of such child or children are dead; and stating the approximate amount of the independent income of such child or children during the last preceding year, exclusive of any sums received by such child or children from him, and exclusive of any gifts, the same being merely income derived from the individual property of, or property held in trust for such child or children; the approximate amount actually contributed or expended by him for the support of such child or children during the last preceding year; and stating that such child or children is (are) dependent upon his labor for support, as the term "labor" is used in these rules and regulations; that such income from which the child or children received such support was mainly the fruit of his mental or physical labor, and was not income mainly derived from property or other sources, independent of his mental or physical labor.²

And upon presentation, within the time aforesaid, to such local board of two supporting affidavits signed by heads of families residing within the area in which such local board has jurisdiction, giving the name, age, and place of residence of the brother whose discharge is sought; the name(s), age(s), and place of residence of the child or children under 16 years of age for whose benefit the claim for discharge of the brother was filed; stating that such brother and the child or children are personally well known to him; and stating, on information and belief, that such child or children has (have) neither father nor mother living; that the person whose discharge is sought is the brother of such child or children; and is reputed to have such

¹ Use Forms No. 140a-b.

² Use Form No. 141.

child or children dependent upon his labor for support; the approximate amount of the independent income of such child or children during the last preceding year, exclusive of any sums received from such brother and exclusive of any gifts, the same being merely income derived from the independent property of, or property held in trust for such child or children; the approximate amount actually contributed or expended by such brother during the last preceding year for the support of such child or children; that such child or children is (are) dependent upon such brother's labor for support, as the term "labor" is used in these rules and regulations; and that the income of such brother from which such child or children received such support was mainly the fruit of the brother's mental or physical labor, and was not income mainly derived from property or other sources, independent of his mental or physical labor; and stating on oath the sources of affiant's information and grounds for belief respecting the amount of the child's or children's income, the approximate amount paid out by the brother for the support, and the dependency of such child or children.¹

If a claim for discharge is not filed by the brother, but by another person in respect of such brother, then upon presentation to such local board; at any time within 10 days after the filing of such claim, of an affidavit signed by the person who has filed the claim, giving the name and place of residence of such person; the name, age, place of residence, and serial number of the brother whose discharge is sought, and stating that the person making the affidavit filed the claim for discharge in respect of such brother; that the person whose discharge is sought is the brother of such child or children; giving the name(s), age(s), and place of residence of such child or children under 16 years of age; that he is personally well acquainted with such brother and the child or children; that he has personally made an investigation and examination of the source of income of such child or children, disclosing the nature and extent of such investigation and examination; and stating according to the facts disclosed by such investigation and examination the approximate amount of such child's or children's independent income during the last preceding year, exclusive of any sums received from the brother, and exclusive of any gifts to the child or children, the same being merely income derived from the individual property of, or property held in trust for the child or children; and stating that such child or children is (are) dependent upon the brother's labor for support, as the term "labor" is used in these rules and regulations; the approximate amount that such brother has actually contributed or expended during the last preceding year for the support of the

¹ Use Forms No. 141a-b.

child or children; that the brother's income from which the child or children received such support was mainly the fruit of his mental or physical labor and was not income mainly derived from property or other sources independent of his mental or physical labor.¹

And upon presentation, within the time aforesaid, to such local board of two supporting affidavits of heads of families residing within the area in which such local board has jurisdiction, giving the name, age, and place of residence of the brother whose discharge is sought, the name(s), age(s), and place of residence of the child or children under 16 years of age for whose benefit the claim for discharge of the brother was filed; that the said brother and child (children) are personally well known to him; and stating, upon information and belief, that such child or children has (have) neither father nor mother living; that such person is the brother of said child or children and that he has such child or children, dependent upon his labor for support; the approximate amount of the independent income of such child or children during the last preceding year, exclusive of any sums received from such brother and exclusive of any gifts, the same being merely income derived from the individual property of, or property held in trust for, such child or children; the approximate amount actually contributed or expended by such brother, during the last preceding year, for the support of such child or children; that such child or children is (are) dependent upon his labor for support, as the term "labor" is used in these rules and regulations; and that the income of such brother from which such child or children received such support was mainly the fruit of the brother's mental or physical labor and was not income mainly derived from property or other sources independent of his mental or physical labor; and stating on oath the sources of the affiant's information and knowledge with respect to the income of the child or children, the approximate amount paid out by the brother for such support, and the dependency of such child or children.²

For the purpose of these rules and regulations "labor" shall be construed to mean bodily or mental exertion. It may be either physical or intellectual; it may be professional, mechanical, commercial, clerical, or agricultural; and each of these forms of labor may exist under modifications or in combination with each other. The means for the support of the dependent person or persons must be produced by this labor, whatever be its character. It need not be wholly produced from it, but it must be mainly so. A dependent receiving support from a person whose income is derived from dividends or rents can not be said to be dependent upon his labor, but

¹ Use Form No. 142.

² Use Forms No. 142a-b.

if that income were entirely the fruit of professional or physical toil, then such person or persons would be dependent upon his labor.

For the purpose of these rules and regulations, by the term "aged or infirm" parent or parents is meant those persons who, from old age or infirmity, are disabled from earning the means of supporting themselves and who, by reason of such age or infirmity, have become dependent for the means of support upon the person in respect of whom the claim is made.

In respect of all claims filed on the ground that any person called has dependent(s) such other evidence may be presented by affidavits as may be required in the opinion of the local board to substantiate the claim.

If any person claiming exemption or discharge shall file affidavits in support thereof, one such affidavit should contain the statement that he binds himself to report at once in person to the local board by which he was called and notify it whenever the conditions entitling him to exemption or discharge cease to exist; and the affidavit of one who has filed a claim for exemption or discharge in respect of another should contain a similar statement whenever practicable.

(i) *Any person who is found by such local board to be a member of any well-recognized religious sect or organization organized and existing May 18, 1917, and whose then existing creed or principles forbid its members to participate in war in any form, and whose religious convictions are against war or participation therein in accordance with the creed or principles of said religious organization.*—Any such person upon presentation to such local board, at any time within 10 days after the filing of a claim for discharge by or in respect of such person, of an affidavit¹ made by such person stating that he is a member in good faith and in good standing of a well-recognized religious sect or organization (giving the name thereof) organized and existing May 18, 1917, and whose then existing creed or principles forbid its members to participate in war in any form, and that his religious convictions are against war or participation therein in accordance with the creed or principles of said religious organization. And upon the presentation to such local board of an affidavit² made by the clerk or minister of the well-recognized religious sect or organization to which such person claiming exemption is a member, stating that said person is a member of said religious sect or organization, which was well recognized and was organized and existing May 18, 1917, and that the then existing creed or principles of said religious sect or organization forbid its members to participate in war in any form; and upon presentation by affidavits of such other evidence as may be required in the

¹ Use Form No. 143.

² Use Form No. 143 (a).

opinion of the local board to substantiate the claim of any such person.

Said act of Congress provides, section 3:

But no person so exempted shall be exempted from service in any capacity that the President shall declare to be noncombatant.

In case any such person substantiates, in the opinion of the local board, his claim, such local board shall issue a certificate¹ stating that such person shall not be required or compelled to serve in any capacity except in some capacity declared by the President to be noncombatant.

SEC. 21. *Those found to be morally deficient.*—Any person who is a felon, upon presentation by any person to the local board by which he was drawn for service of a certificate² of the clerk of any court of record in the United States showing that the record of such court discloses that such person was at a time stated convicted of felony and sentenced in such court, shall be discharged.

SEC. 22. *Local boards to decide claims of exemption or discharge within three days after filing of affidavits.*—Each local board shall decide, subject to appeal as herein provided, each claim for exemption or discharge filed with the respective local boards within three days after the affidavits in support of the respective claims shall have been filed.

SEC. 23. *Local boards to issue certificates of discharge.*—Each local board shall issue a certificate of discharge³ to each person by or in respect of whom a claim for discharge has been filed in accordance with these rules and regulations if, in the opinion of the local board, such claim has been substantiated as required by these rules and regulations and the right to a certificate of discharge established.

Each such certificate of discharge shall be on a form provided by the Provost Marshal General, shall be signed by the chairman and clerk of the board, and shall set forth the grounds and conditions of the discharge and the duration thereof. Such certificate may be absolute, conditional, or temporary, as the case may require.

No discharge shall continue when a cause therefor no longer exists. Whenever a local board shall determine that the cause for the issuance by such local board of a certificate of discharge no longer exists, such local board shall at once revoke such certificate of discharge⁴ and restore the name of the person to whom it was issued to the list of those called for service. Such board shall thereupon notify⁵ such person of its action by mail directed to the address given on his

¹ Use Form No. 174.

² Use Form No. 144.

³ Use Form No. 145.

⁴ Use Form No. 167.

⁵ Use Form No. 168.

registration card and require the surrender of the certificate of discharge issued to such person.

It shall thereupon be the duty of such person to surrender forthwith to such local board the certificate of discharge previously issued to him.

Any certificate of discharge may be withdrawn, modified, or renewed by the local board if, in the opinion of such local board, the circumstances of the case require that the certificate of discharge should be withdrawn, modified, or renewed.

Certificates of discharge shall require by their terms any person discharged conditionally or for a limited time to report, and it shall be the duty of such person to report, to the local board issuing the certificate immediately upon the expiration of the time specified, or whenever the conditions entitling such person to a certificate of discharge cease to exist.

No certificate of discharge shall be conditional on the person to whom it is issued entering into or continuing in the employment of any designated employer, but may be conditional on a person engaging in or continuing in some particular class of employment.

Each certificate of discharge shall contain reference to the penalty clause of said act of Congress and also to the appropriate provisions of the Criminal Code of the United States setting forth the penalty incurred for failure to obey any provision of said act of Congress.

SEC. 24. *Local boards to certify to the district boards having jurisdiction names of persons called and not exempted or discharged and names of persons called who have been exempted or discharged.*—Each local board shall forthwith, on a form ¹ prepared by the Provost Marshal General for that purpose, certify to the district board having jurisdiction of the area in which such local board is located, the names and detailed addresses of all persons called by such local board who have not been exempted or discharged, and a like list ² of all persons called by such local board who have been exempted or discharged. Each local board shall also file with such district board each claim for exemption or discharge, together with all affidavits and papers filed in connection with each claim for exemption or discharge, including the records of the physical examinations and a copy of each certificate of exemption or discharge issued by it.

Each local board shall maintain a filing system that will enable all affidavits and records in respect of each person to be filed separately and apart from affidavits and records in respect of any other person in order to facilitate their orderly and prompt transmission to the proper district board.

¹ Use Form No. 146.

² Use Form No. 147.

SEC. 25. List to be posted and notices to be mailed.—Within two days, if practicable, after certifying any such list to the district board having jurisdiction a copy of any such list so certified by the local board shall be posted in the offices of the local board in a place accessible to the public view; a copy shall be made accessible to the press with a request for publication; and a notice¹ that he has been certified to the proper district board having jurisdiction as called for service and not exempted or discharged shall be mailed by the clerk of the local board to each person called who has not been exempted or discharged, directed to the address given on his registration card. Like notice² shall be so sent to any person who filed a claim for exemption or discharge in respect of some other person, directed to the address given on the claim filed.

SEC. 26. Appeals from local boards to district boards.—An appeal may be taken by or in respect of any person called for service by any local board from the final decision of such local board, disposing of a claim for exemption or discharge, to the district board having jurisdiction in the area in which such local board is located.

The person called, or the person who filed the claim for exemption or discharge in respect of such person, must file with such local board a claim of appeal, if an appeal is taken, on a form³ prepared by the Provost Marshal General and furnished by the local boards for that purpose and must give notice of the filing of such claim of appeal to the district board having jurisdiction on a form⁴ prepared by the Provost Marshal General and furnished by the local boards for that purpose.

Any such claim of appeal and the notice thereof must be filed and given within 10 days after the mailing of a notice to such person and to the person who filed the claim of exemption or discharge in respect of such person that the claim of exemption or discharge is denied.

Upon such claim of appeal being filed with the local board it shall be the duty of such local board, if it has not already done so, to forward to the district board having jurisdiction all affidavits and records in connection with the claim filed by such person or in respect of such person for exemption or discharge.

No appeal can be taken, or can be allowed to be taken by order of any local board or district board, from any order or decision of any local board, except from the final decision on a claim of exemption or discharge filed by or in respect of a person called by a local board for service.

A local board may allow an appeal to be taken from its final decision after the expiration of the designated time within which a claim

¹ Use Form No. 148 or 150.

² Use Form No. 149.

³ Use Form No. 153 or 154.

⁴ Use Form No. 151 or 152.

of appeal may be filed, provided it is shown to the satisfaction of the local board having jurisdiction that the failure to file such claim of appeal within the designated time arose because of the necessary absence of the claimant or because the illness of the claimant prevented the filing of such claim, or for any other cause or reason which appears to the local board to afford a reasonable ground for allowing the claim of appeal to be filed.

In the event that any such application for leave to file a claim of appeal is granted, notice¹ of the extension of time shall be given by the local board to the district board having jurisdiction and a like extension of time shall be granted for notice to be given to the district board of the filing of the claim of appeal.

SEC. 27. *Government appeals.*—The Provost Marshal General acting through any person generally or specially authorized may appeal from the decision of any local board to the district board having jurisdiction in the area in which such local board is located. It shall be the duty of the Provost Marshal General generally or specially to authorize and direct some person to take appeals from all decisions of local boards to the district boards having jurisdiction in all cases where certificates of discharge were granted and issued because of a claim filed for discharge under the provisions of subdivision (h) of section 20 of these rules and regulations.

The time within which a claim of appeal and the notice thereof may be filed by the Provost Marshal General shall not be limited.

The records of all local boards shall be open at all times to inspection or examination by any person generally or specially designated by the district board having jurisdiction to make such inspection or examination, and the records of all local and district boards shall be open at all times to the inspection or examination of any person generally or specially authorized by any department of the Government of the United States or by the Provost Marshal General. Such records shall be open to the examination of the public at such times as will not interfere with the proceedings or work of the local boards.

SEC. 28. *Local boards may in certain cases extend time to file claims and affidavits.*—A local board may allow a claim for exemption or discharge to be filed or affidavits in support thereof to be filed after the expiration of the designated time within which such claim or such affidavits may be filed, provided it is shown to the satisfaction of the local board having jurisdiction that the failure to file such claim or such affidavits within the designated time arose because of the necessary absence of the claimant or because the illness of the claimant prevented the filing of such claim or of such affidavits, or for

¹ Use Form No. 155.

any other cause or reason which appears to the local board to afford a reasonable ground for allowing the claim or affidavits to be filed.

SEC. 29. *Local boards may order the physical examination of any person called and the hearing on a claim for exemption or discharge transferred to another local board.*—When the order in which a person is liable to be called for military service has been determined, and the notice that he has been called for service mailed as required by section 15 hereof, if it is shown to the satisfaction of the local board having jurisdiction of his registration card that because of his permanent removal or necessary absence it is impracticable for him to be physically examined by, or to file a claim for exemption or discharge and the affidavits in support thereof with, such local board, an order may be entered directing his physical examination and the hearing of any claim for exemption or discharge filed by or in respect of him to be made and determined by another local board to be designated in such order.

However, no such application may be filed or no such order entered until after the order in which he is liable to be called for military service is determined by the local board having jurisdiction of his registration card and until after the notice that he has been called for service has been mailed as required by section 15 hereof.

The local board designated in any such order shall thereupon take and have jurisdiction to examine him physically and such local board, and the district board having jurisdiction shall take and have jurisdiction to hear and determine claims by or in respect of such person as though his registration card were in the possession of such designated board.

However, the local board so designated and the district board having jurisdiction shall consider at all times such person as one who has been called for service by the local board having original jurisdiction, and unless such person is exempted or discharged he shall be certified to the adjutant general of the State, Territory, or District, as the case may be, in which he registered as one not exempted or discharged. Thereupon the adjutant general shall order him to report for military service at a specified time and place to be fixed pursuant to advices from The Adjutant General of the Army, and he shall be considered in all respects as having been certified as not exempted or discharged by the district board having jurisdiction of the area in which the local board having possession of his registration card is located.

SEC. 30. *Local boards may cancel one registration in case a person is registered in two jurisdictions.*—If a person is registered in two jurisdictions he may file with the local board, to which he elects to

present an application to cancel his registration, an affidavit signed by him stating that his domicile is in another jurisdiction and may apply for an order to be entered canceling his registration.

If his application and affidavit are accompanied by the affidavit of the clerk of the other local board stating that his registration card is in the possession of the local board of which the affiant is clerk, an order may be entered by the board to which such application is made canceling his registration in that jurisdiction.

PART B.

DISTRICT BOARDS.

SEC. 31. *Provisions of the act authorizing the President to create and establish district boards:*

SEC. 4. * * * The President is hereby authorized to establish additional boards, one in each Federal judicial district of the United States, consisting of such number of citizens, not connected with the Military Establishment, as the President may determine, who shall be appointed by the President. The President is hereby authorized, in his discretion, to establish more than one such board in any Federal judicial district of the United States, or to establish one such board having jurisdiction of an area extending into more than one Federal judicial district.

Such district boards shall review, on appeal, and affirm, modify, or reverse any decision of any local board having jurisdiction in the area in which any such district board has jurisdiction, under the rules and regulations prescribed by the President. Such district boards shall have exclusive original jurisdiction within their respective areas to hear and determine all questions or claims for including or excluding or discharging persons or classes of persons from the selective draft under the provisions of this act not included within the original jurisdiction of such local boards.

The decisions of such district boards shall be final, except that, in accordance with such rules and regulations as the President may prescribe, he may affirm, modify, or reverse any such decision.

Any vacancy in any such local board or district board shall be filled by the President, and any member of any such local board or district board may be removed and another appointed in his place by the President whenever he considers that the interest of the Nation demands it.

The President shall make rules and regulations governing the organization and procedure of such local boards and district boards and providing for and governing appeals from such local boards to such district boards, and reviews of the decisions of any local board by the district board having jurisdiction, and determining and prescribing the several areas in which the respective local boards and district boards shall have jurisdiction, and all other rules and regulations necessary to carry out the terms and provisions of this section, and shall provide for the issuance of certificates of exemption, or partial or limited exemptions, and for a system to exclude and discharge individuals from selective draft.

SEC. 32. *Creation and establishment of district boards.*—There shall be, and hereby is, created and established, as authorized by the terms of said act of Congress, one or more district boards in each Federal judicial district of the United States as the President may, in his discretion, determine; one in each Territory, and one in the District of Columbia, having exclusive jurisdiction in their respective areas of all matters to be heard and determined by a district board therein in accordance with said act of Congress and the rules and

regulations prescribed by the President: *Provided, however, That* there shall be, and hereby is, created and established one district board having exclusive jurisdiction of such matters in the area contained within the limits of the city of New York, in the State of New York.

The district boards created and established in the southern district of the State of New York and the district boards created and established in the eastern district of the State of New York shall have no jurisdiction within the area lying within the limits of the city of New York.

SEC. 33. *Designation of district boards.*—District boards having jurisdiction in a Federal judicial district, including an entire State, shall be designated as the District Board for the State of ———.

In any State where there is more than one district and but one district board is established in each district, the several district boards shall be designated and known as the District Board for the ——— District of the State of ———.

Where there is more than one district board in a Federal judicial district, the respective divisions of such district shall be designated and known as Division No. 1, Division No. 2, and so on, and the several district boards therein shall be designated and known as District Board for Division No. 1, No. 2, and so on, of the ——— District of the State of ———.

District boards having jurisdiction in a Territory shall be designated as the District Board for the Territory of ———.

The district board for the District of Columbia shall be designated as the District Board for the District of Columbia.

The district board for the city of New York shall be designated and known as the District Board for the City of New York, State of New York.

All certificates, reports, and records of such district boards shall bear upon their face the proper designation as above prescribed.

SEC. 34. *The qualifications for members of district boards.*—Each district board shall consist of at least five members, and as many more as the President may in his discretion determine upon, appointed by the President, who must be citizens of the United States. No person shall be appointed or act as a member of a district board who is connected with the Military Establishment of the United States.

SEC. 35. *Power to fill vacancies in any district board.*—Section 4 of said act of Congress provides that—

Any vacancy in any such local board or district board shall be filled by the President, and any member of any such local board or district board may be removed and another appointed in his place by the President whenever he considers that the interest of the Nation demands it.

SEC. 36. Duty of any person appointed a member of a district board to notify the President of his refusal to act or of his resignation.—Any person appointed a member of a district board who refuses to accept such appointment, or who resigns as a member thereof, shall promptly notify by telegraph the Provost Marshal General in Washington of his refusal to accept the appointment or of his resignation. It shall be the duty of the other members of such a district board to notify the Provost Marshal General of any vacancy in the district board.

SEC. 37. Organization of district boards.—Upon request of the Provost Marshal General, the United States Marshal of any Federal judicial district in the State, Territory, or District wherein the district board is located shall notify the persons appointed by the President members of such district board to assemble at the time and place designated by such marshal.

No organization of a district board shall be made until at least a majority of the members appointed are present and are ready and willing to serve and shall have taken the prescribed oath.

The members of each district board shall take the following oath :

I, _____, having been appointed a member of the district board for _____ (giving exact designation of State, Territory, or division) under the terms of the act of Congress approved May 18, 1917, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office upon which I am about to enter; so help me God.

Sworn to and subscribed before me at _____, _____, this _____ day of _____, 191-.

A majority of each district board shall constitute a quorum for the transaction of business, and a majority of those present at any meeting may decide any question before such board for decision.

At the first meeting of the members of each district board one member of the board shall be chosen to act as chairman and one member chosen to act as secretary.

A record of the meeting at which each district board is organized shall be made on a form¹ prepared by the Provost Marshal General and furnished the district boards for that purpose. The record of such meeting as entered on such form must state the time and place

¹ Use Form No. 156.

of such meeting, the names of at least a majority of such district board, recite that they were personally present at such meeting, and recite the election of a chairman and secretary. The record of such meeting must be signed by the chairman and secretary. One copy of such record shall be retained by the district board and one copy thereof mailed to the Provost Marshal General in Washington.

The secretary of each district board shall, immediately after such organization, report by telegraph to the Provost Marshal General in Washington that the organization of the board has been completed.

Meetings of a district board, except adjourned meetings, may be held after two days' notice posted in the office of said district board and mailed to the other members of the board at their places of residence by the chairman or by the secretary. The meetings of a district board may be adjourned from time to time, and such adjourned meetings may be held without notice to the members of the board other than the notice at the time of adjournment to those present.

Provided, however, any meeting held without notice at which all members of the district board are present shall be a legal meeting of such district board.

A district board may act through committees of members of the board, but all decisions of the committees shall be submitted to a majority of the board, and if approved by the board they shall have the force and effect of decisions by the board.

District boards may make rules of procedure not inconsistent with said act of Congress or with these rules and regulations.

SEC. 38. Jurisdiction of district boards in cases of appeal from local boards.—Each district board shall have power to review on appeal and affirm, modify, or reverse any final decision of any local board having jurisdiction in any part of the area in which it has jurisdiction; provided, however, there has been filed with the district board a notice of the filing of a claim of appeal with the local board as provided in section 26 or in section 27 of these regulations.

The decision of the district board on any claim heard on appeal from any local board within its jurisdiction shall be final.

SEC. 39. Jurisdiction of district boards in cases where the district board has original jurisdiction.—Each district board shall have, in accordance with the terms of said act of Congress, exclusive original jurisdiction to hear and determine, in respect of persons whose names have been certified to it by any local board within its jurisdiction as called for service and not exempted or discharged, all questions or claims for including or excluding or discharging such

persons arising under the following provisions of said act of Congress authorizing the President to exclude or discharge—

persons engaged in industries, including agriculture, found to be necessary to the maintenance of the Military Establishment, or the effective operation of the military forces, or the maintenance of national interest during the emergency.

SEC. 40. *Procedure of district boards.*—Each district board shall, immediately after organization, request through its secretary and receive from the adjutant general, or other representative of the State, Territory, or District within which such district board has jurisdiction, the copies of the registration cards filed with the adjutant general, or such other representative of the State, Territory, or District, by the boards of registration or by the local boards within the area in the jurisdiction of such district board. It shall become and be the duty of the adjutant general or other representative of the State, Territory, or District upon request from the secretary of a district board for such copies of the registration cards filed with him to personally deliver or forward such copies by mail or express to such district board.

As the adjutants general of the respective States, Territories, or the Commissioners of the District of Columbia, or other representatives of the States, Territories, or District designated by the governors or commissioners to act in place of the adjutant general, shall receive copies of additional cards in accordance with section 9 hereof, such copies shall be forwarded by mail or express to the proper district boards.

SEC. 41. *Procedure of district boards in cases of appeal from a local board by the person called or by some other person in respect of such person.*—In the case of a claim of appeal filed by or in respect of any person from the final decision of a local board within the jurisdiction of such district board, the district board shall, if the name of such person is on the list certified to such district board by a local board within its jurisdiction as a person called and not exempted or discharged, examine and consider the claim, affidavits, and record in respect of such person filed with such district board by the local board.

The district board may receive additional evidence in support of or in opposition to any such claim, provided such additional evidence is filed in the form of affidavits within *five* days after the receipt by such district board of the notice of filing a claim of appeal by or in respect of such person.

Within five days after the closing of proofs in any such case, the district board shall decide in favor of or against such claim and shall affirm, modify, or reverse the decision of the local board. The decision of the district board shall be final.

The district board shall thereupon notify, on a form¹ provided by the Provost Marshal General for that purpose, the person by whom or in respect of whom such claim of appeal was filed that the district board has affirmed, modified, or reversed, as the case may be, the decision of the local board.

If the decision of the local board is affirmed, such person shall stand as called for military service to be finally accepted as hereinafter provided.

SEC. 42. *District boards to issue certificates of exemption or discharge.*—If, in the opinion of the district board, the claim for exemption or discharge has been substantiated as required by these rules and regulations and the right to a certificate of exemption or discharge established, the district board shall issue a certificate² of exemption or discharge, as the case may require, to such person.

Each such certificate of exemption or discharge shall be on a form provided by the Provost Marshal General for that purpose, shall be signed by the chairman and secretary of the board, and shall set forth the grounds and conditions of such exemption or discharge and the duration thereof. Such certificate of exemption or discharge may be absolute, conditional, or temporary, as the case may require.

No exemption or discharge shall continue when a cause therefor no longer exists. Whenever a district board shall determine that the cause for the issuance by such district board of a certificate of exemption or discharge no longer exists, such district board shall at once revoke such certificate³ and restore the name of the person to whom it was issued to the list of those called for military service to be finally accepted as hereinafter provided.

The district board shall thereupon notify⁴ such person of its action by mail directed to the address given on his registration card and shall require the surrender of the certificate issued to such person.

It shall thereupon be the duty of such person to surrender forthwith to such district board the certificate previously issued to him.

Any certificate of exemption or discharge issued by a district board may be withdrawn, modified, or renewed by the district board if, in the opinion of such district board, the circumstances of the case require that the certificate should be withdrawn, modified, or renewed.

Certificates shall require by their terms any person exempted or discharged conditionally or for a limited time to report, and it shall be the duty of such person to report, to the local board that called such person for service, and to notify the district board that issued the certificate, immediately upon the expiration of the time specified or

¹ Use Form No. 157 or No. 153.

² Use Form No. 159 or 159a.

³ Use Form No. 169.

⁴ Use Form No. 170.

whenever the conditions entitling such person to a certificate cease to exist.

If any such person so reports to a local board, it shall thereupon be the duty of such local board to certify his name to the district board issuing the certificate as one called for service and not exempted or discharged, and it shall be the duty of such district board to restore the name of such person to the list of those called for military service to be finally accepted as hereinafter provided.

No certificate of discharge shall be conditional on the person to whom it is issued entering into or continuing in the employment of any designated employer, but may be conditional on a person engaging in or continuing in some particular class of employment.

Each certificate shall contain reference to the penalty clause of said act of Congress and also to the appropriate provisions of the Criminal Code of the United States setting forth the penalty incurred for failure to obey any provision of said act of Congress.

Each local board shall give the same force and effect, whenever called upon to assist in enforcing the decision of the district board having jurisdiction in the case of an appeal, to the decision of the district board as though the decision were made by the local board and no appeal had been taken therefrom.

SEC. 43. Procedure of district boards in cases appealed from a local board to a district board by the Provost Marshal General.—In the case of an appeal authorized by the Provost Marshal General from the decision of any local board to the district board having jurisdiction the district board shall, if the name of the person is on the list certified by a local board within its jurisdiction as one called for service by such local board and exempted or discharged, examine and consider the claim, proof, and record in respect of such person filed with such district board by the local board.

Such district board may receive additional evidence in the form of affidavits filed in support of or in opposition to any such claim as in the case of an appeal filed by or in respect of a person called for service as hereinbefore provided.

If additional affidavits are filed with the district board in opposition to any such claim, one copy of each affidavit shall be furnished by the person filing the same, and shall be mailed by the secretary of the district board to the person called or to the person filing a claim for exemption or discharge in behalf of such person, directed to the address of such person given on his registration card or to the address of such other person given on the claim of appeal so filed.

Five days' time after mailing such copies shall be given for further affidavits to be filed in support of the claim.

The district board shall thereupon decide in favor of or against such claim and may affirm, modify, or reverse the decision of the local board. The decision of the district board in respect of any such claim shall be final.

The district board shall thereupon advise, on a form¹ provided by the Provost Marshal General for that purpose, the local board having jurisdiction that the district board has affirmed, modified, or reversed, as the case may be, the decision of such local board in respect of such person. Thereupon the local board shall give the same force and effect to the decision of the district board as though the decision had been made by the local board and no appeal had been taken therefrom.

If the district board reverses the decision of the local board in any such case, the person by or in respect of whom the claim for exemption or discharge was originally filed with the local board shall stand in all respects as though his name had been certified to such district board as one called for service by the local board and not exempted or discharged.

SEC. 44. Procedure of district boards in cases where a district board has exclusive original jurisdiction under the terms of said act of Congress.—District boards have exclusive original jurisdiction, in respect of any person whose name has been certified to a district board as called by a local board within its jurisdiction and who has not been exempted or discharged, to hear and determine all questions or claims for including or excluding or discharging any such person arising under the following provision of said act of Congress authorizing the President to exclude or discharge—

persons engaged in industries, including agriculture, found to be necessary to the maintenance of the Military Establishment, or the effective operation of the military forces, or the maintenance of national interest during the emergency.

A claim for discharge under this provision of said act of Congress may be filed with a district board by, or in respect of, any person whose name has been certified to the district board by a local board within the jurisdiction of such district board as one called for service by such local board and not exempted or discharged.

Any such claim² for discharge must be filed with the district board on a form provided by the Provost Marshal General and supplied by district boards and local boards for that purpose on or before the *fifth* day after the mailing by a local board of notice to such person that his name has been certified to such district board as called for service and not exempted or discharged.

¹ Use Form No. 160.

² Use Form No. 161 or 161(a).

The statement on the registration card of any such person that exemption or discharge is claimed shall not be construed or considered as the presentation of a claim for discharge.

Such a claim may be filed by or in respect of any such person on any of the following grounds:

1. That he is actually engaged in a particular, designated, industrial enterprise, or in a particular, designated, agricultural enterprise necessary to the maintenance of the Military Establishment; that his continuance therein is necessary to the maintenance thereof, and that he can not be replaced by another person without direct substantial material loss and detriment to the adequate and effective operation of the enterprise in which he is engaged.

2. That he is actually engaged in a particular, designated, industrial enterprise, or in a particular, designated, agricultural enterprise necessary to the effective operation of the military forces; that his continuance therein is necessary to the maintenance thereof, and that he can not be replaced by another person without direct substantial material loss and detriment to the adequate and effective operation of the enterprise in which he is engaged.

3. That he is actually engaged in a particular, designated, industrial enterprise, or in a particular, designated, agricultural enterprise necessary to the maintenance of national interest during the emergency; that his continuance therein is necessary to the maintenance thereof, and that he can not be replaced by another person without direct substantial material loss and detriment to the adequate and effective operation of the enterprise in which he is engaged.

The word "necessary" as used in said act of Congress shall be construed and held to mean that the discontinuance of, or serious interruption in, the particular, designated, industrial enterprise, or the particular, designated, agricultural enterprise in which the person is engaged would result in substantial material loss and detriment to the adequate and effective maintenance of the Military Establishment, or the adequate and effective operation of the military forces, or the maintenance of national interest during the emergency.

The word "necessary" as used in the phrase "that his continuance therein is necessary to the maintenance thereof" in these regulations shall be construed and held to mean that the withdrawal of the labor or service of such person would directly result in substantial material loss and detriment to the adequate and effective operation of the particular, designated, industrial enterprise or particular, designated, agricultural enterprise in which such person is engaged.

Affidavits in support of or in opposition to any such claim shall be filed within five days after the filing of a claim for discharge by or in respect of any such person.

The words of the act "persons engaged in industries, including agriculture," shall not be construed and held to mean that a person engaged in a particular industrial enterprise or particular agricultural enterprise is entitled to be discharged by reason of the fact that such class of industry, taken as a whole, or agriculture, taken in its entirety, is necessary to the maintenance of the Military Establishment, or the effective operation of the military forces or the maintenance of national interest during the emergency.

In order to substantiate any such claim the evidence submitted must establish that the particular, designated, industrial enterprise or particular, designated, agricultural enterprise is necessary to the maintenance of the Military Establishment, or the effective operation of the military forces, or the maintenance of national interest during the emergency.

The evidence must also establish, even if the particular industrial enterprise or particular agricultural enterprise is found necessary for one of the above purposes, that the continuance of such person therein is necessary to the maintenance thereof, and that he can not be replaced by another person without direct substantial material loss and detriment to the adequate and effective operation of the particular industrial enterprise or particular agricultural enterprise in which he is engaged.

In order to assist in securing uniformity in decision and practice of district boards and to provide for cooperation and coordination between the necessities of the Military Establishment, the military forces and national interest, and the industries, including agricultural, found to be *necessary* to the maintenance of the Military Establishment or the effective operation of the military forces or the maintenance of national interest during the war, the President may, however, in his discretion, from time to time ascertain and determine which industries, including any agricultural industries, or classes of industries, including agricultural industries, are *necessary* for the purposes specified in said act of Congress, and may certify to the respective district boards, with the force and effect of regulations prescribed by the President in accordance with the terms of said act of Congress, that a designated industry, including any agricultural industry or a designated class of industrial or agricultural enterprises is or are necessary for one of the purposes specified in said act of Congress.

In the event that any industrial enterprise or agricultural enterprise is included among those so certified, the evidence submitted to the district board must nevertheless establish the facts that the continuance therein of the person, by whom or in respect of whom the claim is made, is necessary to the maintenance thereof, and that he can not be replaced by another person without direct substantial

material loss and detriment to the adequate and effective operation of the particular industrial enterprise or particular agricultural enterprise in which he is engaged.

It shall be the duty of each district board to ascertain by its own methods the existing conditions in industries that may be claimed to be *necessary* within the meaning of the act of Congress and these regulations and the agricultural conditions as a whole within its jurisdiction, as they may be affected by the drafting into the military service of the men called by the respective local boards within its jurisdiction.

It shall also be the duty of each district board to ascertain as near as may be the labor supply available for such *necessary* industries and for agriculture outside of the men called for military service; and to take into consideration all such facts in determining such claims, and the effect of the efforts of governmental agencies to mobilize and to make such labor more efficient.

If, in the opinion of the district board, the direct substantial material loss to any such industrial or agricultural enterprise outweighs the loss that would result from the failure to obtain the military service of any such person, a certificate of discharge may be issued to him subject to the conditions of section 45 hereof.

Within five days after the closing of proofs in any such case, the district board shall decide in favor of or against any such claim.

SEC. 45. *District boards to issue certificates of discharge in cases where it has original jurisdiction.*—If in the opinion of the district board having jurisdiction the claim by or in respect of such person is substantiated and the right to a certificate of discharge established such district board shall issue a certificate of discharge to such person.

Each such certificate of discharge shall be on a form¹ provided by the Provost Marshal General for that purpose, shall be signed by the chairman and secretary of the board, and shall set forth the grounds and conditions of the discharge and the duration thereof. Such certificate may be absolute, conditional, or temporary, as the case may require.

No discharge shall continue when a cause therefor no longer exists. Whenever a district board shall determine that the cause for the issuance by such district board of a certificate of discharge no longer exists, such district board shall at once revoke² such certificate of discharge and restore the name of the person to whom it was issued to the list of those called for military service to be finally accepted as hereinafter provided.

Such district board shall thereupon notify³ such person of its action by mail, directed to the address given on his registration

¹ Use Form No. 162.

² Use Form No. 171.

³ Use Form No. 172.

card, and shall require the surrender of the certificate of discharge issued to such person.

It shall thereupon be the duty of such person to surrender forthwith to such district board the certificate of discharge previously issued to him.

Any certificate of discharge issued by a district board may be withdrawn, modified, or renewed by the district board if, in the opinion of such district board, the circumstances of the case require that the certificate of discharge should be withdrawn, modified, or renewed.

Certificates of discharge shall require by their terms any person discharged conditionally or for a limited time to report, and it shall be the duty of such person to report, to the local board that called such person for service and to notify the district board that issued the certificate, immediately upon the expiration of the time specified, or whenever the conditions entitling such person to a certificate of discharge cease to exist.

If any such person so reports to a local board, it shall thereupon be the duty of such local board to certify his name to the district board issuing the certificate of discharge as one called for service and not exempted or discharged, and it shall be the duty of such district board to restore the name of such person to the list of those called for military service to be finally accepted as hereinafter provided.

No certificate of discharge shall be conditional on the person to whom it is issued entering in or continuing in the employment of any designated employer, but may be conditional on a person engaging in or continuing in some particular class of employment.

Each certificate of discharge shall contain reference to the penalty clause of said act of Congress and also to the appropriate provisions of the Criminal Code of the United States setting forth the penalty incurred for failure to obey any provision of said act of Congress.

SEC. 46. Provisions of the act authorizing the President to affirm, modify, or reverse any decision of a district board.

SEC. 4. * * * The decisions of such district boards shall be final except that, in accordance with such rules and regulations as the President may prescribe, he may affirm, modify, or reverse any such decision.

SEC. 47. Appeals from a final decision of a district board in cases in which a district board has exclusive original jurisdiction.—An appeal from a final decision of any district board may be taken to the President by or in respect of any person by whom or in respect of whom a claim of discharge was originally filed with such district board, provided a claim of appeal on a form¹ provided for that purpose by the Provost Marshal General and furnished by district boards and local boards, shall be filed by such person, or by the

¹ Use Form No. 163.

person who filed a claim of discharge in respect of such person, with such district board, within *seven* days after such district board shall have mailed notice¹ to such person or to the person filing a claim in respect of such person of the final decision denying such claim.

Upon the claim of appeal being filed with the district board having jurisdiction it shall thereupon become the duty of such district board to certify the entire record in respect of such claim to the President, who may, under rules and regulations to be hereafter prescribed, affirm, modify, or reverse any such decision.

The filing of any such claim of appeal shall not, except in cases wherein it is otherwise ordered by the district board having jurisdiction, prevent any such person being accepted and ordered into the military service pending such appeal.

SEC. 48. *District boards to certify to the adjutant general of the State, Territory, or District of Columbia the names of persons called and not exempted or discharged.*—Each district board shall certify in quadruplicate on forms² provided by the Provost Marshal General for that purpose, to the adjutant general of the State, Territory, or District of Columbia, as the case may be, the serial numbers, names, and detailed addresses of all persons called by local boards within the jurisdiction of such district board who have not been exempted or discharged; separate certificates shall be made in respect of the men called by each of the several local boards. Upon receipt of such certificates the adjutant general shall by mail directed to the detailed addresses shown in the certificates notify each man whose name has been so certified that he has been selected for military service and shall order him to report for military service in person at a specified time and place, to be fixed pursuant to advices from The Adjutant General of the Army. From the time so specified each man to whom such notice shall have been so mailed shall be in the military service of the United States.

The adjutant general of the State, Territory, or District shall note upon all copies of each certificate the date upon which the prescribed notice was mailed to each man named therein and the date, and place at which, such man was ordered to report for military service; shall place one copy of such certificate on file in his office, send one copy to the local board by which each man named in the certificate was called, send one copy to the Provost Marshal General, and send one copy to The Adjutant General of the Army or to such other officer as may be designated by The Adjutant General of the Army.

Immediately upon receipt of any such certificate the local board shall post an authenticated copy thereof in its office in a place

¹ Use Form No. 173.

² Use Form No. 164.

accessible to the public view and make an authenticated copy accessible to the press with a request for publication.

In any State or Territory in which there is no adjutant general, the above described duties of the adjutant general shall be performed by the governor.

Detailed regulations governing the last step of the execution of the law—the assembling of selected persons and the posting of them to the colors—will be prescribed hereafter.

SEC. 49. *Members of local boards and district boards disqualified to act on certain claims.*—No member of a local board or district board shall participate in the hearing or decision of any claim for exemption or discharge filed by or in respect of any person who is related to such member either by blood or by marriage nearer than a second cousin.

SEC. 50. *District boards may in certain cases extend time to file claims and affidavits.*—A district board may allow a claim for exemption or discharge to be filed, or affidavits in support thereof to be filed, after the expiration of the designated time within which such claim or such affidavits may be filed, provided it is shown to the satisfaction of the district board having jurisdiction that the failure to file such claim or affidavits within the designated time arose because of the necessary absence of the claimant or because the illness of the claimant prevented the filing of such claim or such affidavits, or for any other cause or reason which appears to the district board to afford a reasonable ground for allowing the claim or affidavits to be filed.

SEC. 51. *Effect of any act to be done falling on Sunday or on a holiday.*—Whenever the day upon which any claim, affidavit, notice, or other necessary paper, or appearance for physical examination is required by these rules and regulations to be filed or mailed or made falls upon a Sunday or a legal holiday, in accordance with the laws of the United States, or the laws of the State or Territory in whose jurisdiction the local or district board having jurisdiction is located, such claim, affidavit, notice, or other paper, or such appearance shall be filed or mailed or made on the next secular day following that is not such a holiday.

SEC. 52. *Requirements in respect to signing and giving notices, certificates, or other papers by local and district boards.*—All notices, certificates, or other papers required to be signed and given, delivered, posted, or mailed by a local or district board by these rules and regulations shall, unless otherwise provided by these rules and regulations, be signed by the chairman and clerk of a local board, or chairman and secretary of a district board, and given, delivered, printed, or mailed by the clerk or secretary of the board, as the case may be. However, all certificates relating to the physical qualifications or disqualifications for military service of any person called shall also be signed by the physician or physicians who examined the person.

APPENDIX.

For the convenience of reference by members of boards, and in order that they may be in a position to advise all persons within the purview of the law of their duties and obligations thereunder, or to admonish them, in case of necessity, of the penalties attaching to failure or neglect to perform their duties and to attempts to defeat the administration of the law, there is printed below the selective service act, approved May 18, 1917, and sections 37, 125, and 332 of the Criminal Code of the United States.

Members of boards are urged thoroughly to familiarize themselves with the statute and to inform themselves of the provisions of such sections of the Criminal Code of the United States.

I. SELECTIVE SERVICE LAW.

AN ACT To authorize the President to increase temporarily the Military Establishment of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in view of the existing emergency, which demands the raising of troops in addition to those now available, the President be, and he is hereby, authorized—

First. Immediately to raise, organize, officer, and equip all or such number of increments of the Regular Army provided by the national defense Act approved June third, nineteen hundred and sixteen, or such parts thereof as he may deem necessary; to raise all organizations of the Regular Army, including those added by such increments, to the maximum enlisted strength authorized by law. Vacancies in the Regular Army created or caused by the addition of increments as herein authorized which can not be filled by promotion may be filled by temporary appointment for the period of the emergency or until replaced by permanent appointments or by provisional appointments made under the provisions of section twenty-three of the national defense Act, approved June third, nineteen hundred and sixteen, and hereafter provisional appointments under said section may be terminated whenever it is determined, in the manner prescribed by the President, that the officer has not the suitability and fitness requisite for permanent appointment.

Second. To draft into the military service of the United States, organize, and officer, in accordance with the provisions of section one hundred and eleven of said national defense Act, so far as the provisions of said section may be applicable and not inconsistent with the terms of this Act, any or all members of the National Guard and of the National Guard Reserves, and said members so drafted into the military service of the United States shall serve therein for the period of the existing emergency unless sooner discharged: *Provided*, That when so drafted, the organizations or units of the National Guard shall, so far as practicable, retain the State designations of their respective organizations.

Third. To raise by draft as herein provided, organize and equip an additional force of five hundred thousand enlisted men, or such part or parts thereof as he may at any time deem necessary, and to provide the necessary officers, line and staff, for said force and for organizations of the other forces hereby authorized, or by combining organizations of said other forces, by ordering members of the Officers' Reserve Corps to temporary duty in accordance with the provisions of section thirty-eight of the national defense Act approved June third, nineteen hundred and sixteen; by appointment from the Regular Army, the Officers' Reserve Corps, from those duly qualified and registered pursuant to section twenty-three of the Act of Congress approved January twenty-first, nineteen hundred and three (Thirty-second Statutes at Large, page seven hundred and seventy-five), from the members of the National Guard drafted into the service of the United States, from those who have been graduated from educational institutions at which military instruction is compulsory, or from those who have had honorable service in the Regular Army, the National Guard, or in the volunteer forces, or from the country at large; by assigning retired officers of the Regular Army to active duty with such force with their rank on the retired list and the full pay and allowances of their grade; or by the appointment of retired officers and enlisted men, active or retired, of the Regular Army as commissioned officers in such forces: *Provided*, That the organization of said force shall be the same as that of the corresponding organizations of the Regular Army: *Provided further*, That the President is authorized to increase or decrease the number of organizations prescribed for the typical brigades, divisions, or army corps of the Regular Army, and to prescribe such new and different organizations and personnel for army corps, divisions, brigades, regiments, battalions, squadrons, companies, troops, and batteries as the efficiency of the service may require: *Provided further*, That the number of organizations in a regiment shall not be increased nor shall the number of regiments be decreased: *Provided further*, That the President in his discretion may organize, officer, and equip for each Infantry and Cavalry brigade three machine-gun companies, and for each Infantry and Cavalry division four machine-gun companies, all in addition to the machine-gun companies comprised in organizations included in such brigades and divisions: *Provided further*, That the President in his discretion may organize for each division one armored motor-car machine-gun company. The machine-gun companies organized under this section shall consist of such commissioned and enlisted personnel and be equipped in such manner as the President may prescribe: *And provided further*, That officers with rank not above that of colonel shall be appointed by the President alone, and officers above that grade by the President by and with the advice and consent of the Senate: *Provided further*, That the President may in his discretion recommission in the Coast Guard persons who have heretofore held commissions in the Revenue-Cutter Service or the Coast Guard and have left the service honorably, after ascertaining that they are qualified for service physically, morally, and as to age and military fitness.

Fourth. The President is further authorized, in his discretion and at such time as he may determine, to raise and begin the training of an additional force of five hundred thousand men organized, officered, and equipped, as provided for the force first mentioned in the preceding paragraph of this section.

Fifth. To raise by draft, organize, equip, and officer, as provided in the third paragraph of this section, in addition to and for each of the above forces, such recruit training units as he may deem necessary for the maintenance of such forces at the maximum strength.

Sixth. To raise, organize, officer, and maintain during the emergency such number of ammunition batteries and battalions, depot batteries and battalions,

and such artillery parks, with such numbers and grades of personnel as he may deem necessary. Such organizations shall be officered in the manner provided in the third paragraph of this section, and enlisted men may be assigned to said organizations from any of the forces herein provided for or raised by selective draft as by this Act provided.

Seventh. The President is further authorized to raise and maintain by voluntary enlistment, to organize, and equip, not to exceed four infantry divisions, the officers of which shall be selected in the manner provided by paragraph three of section one of this Act: *Provided*, That the organization of said force shall be the same as that of the corresponding organization of the Regular Army: *And provided further*, That there shall be no enlistments in said force of men under twenty-five years of age at time of enlisting: *And provided further*, That no such volunteer force shall be accepted in any unit smaller than a division.

SEC. 2. That the enlisted men required to raise and maintain the organizations of the Regular Army and to complete and maintain the organizations embodying the members of the National Guard drafted into the service of the United States, at the maximum legal strength as by this Act provided, shall be raised by voluntary enlistment, or if and whenever the President decides that they can not effectually be so raised or maintained, then by selective draft; and all other forces hereby authorized, except as provided in the seventh paragraph of section one, shall be raised and maintained by selective draft exclusively; but this provision shall not prevent the transfer to any force of training cadres from other forces. Such draft as herein provided shall be based upon liability to military service of all male citizens, or male persons not alien enemies who have declared their intention to become citizens, between the ages of twenty-one and thirty years, both inclusive, and shall take place and be maintained under such regulations as the President may prescribe not inconsistent with the terms of this Act. Quotas for the several States, Territories, and the District of Columbia, or subdivisions thereof, shall be determined in proportion to the population thereof, and credit shall be given to any State, Territory, District, or subdivision thereof, for the number of men who were in the military service of the United States as members of the National Guard on April first, nineteen hundred and seventeen, or who have since said date entered the military service of the United States from any such State, Territory, District, or subdivision, either as members of the Regular Army or the National Guard. All persons drafted into the service of the United States and all officers accepting commissions in the forces herein provided for shall, from the date of said draft or acceptance, be subject to the laws and regulations governing the Regular Army, except as to promotions, so far as such laws and regulations are applicable to persons whose permanent retention in the military service on the active or retired list is not contemplated by existing law, and those drafted shall be required to serve for the period of the existing emergency unless sooner discharged: *Provided*, That the President is authorized to raise and maintain by voluntary enlistment or draft, as herein provided, special and technical troops as he may deem necessary, and to embody them into organizations and to officer them as provided in the third paragraph of section one and section nine of this Act. Organizations of the forces herein provided for, except the Regular Army and the divisions authorized in the seventh paragraph of section one, shall, as far as the interests of the service permit, be composed of men who come, and of officers who are appointed from, the same State or locality.

SEC. 3. No bounty shall be paid to induce any person to enlist in the military service of the United States; and no person liable to military service shall hereafter be permitted or allowed to furnish a substitute for such service; nor

shall any substitute be received, enlisted, or enrolled in the military service of the United States; and no such person shall be permitted to escape such service or to be discharged therefrom prior to the expiration of his term of service by the payment of money or any other valuable thing whatsoever as consideration for his release from military service or liability thereto.

SEC. 4. That the Vice President of the United States, the officers, legislative, executive, and judicial, of the United States and of the several States, Territories, and the District of Columbia, regular or duly ordained ministers of religion, students who at the time of the approval of this Act are preparing for the ministry in recognized theological or divinity schools, and all persons in the military and naval service of the United States shall be exempt from the selective draft herein prescribed; and nothing in this Act contained shall be construed to require or compel any person to serve in any of the forces herein provided for who is found to be a member of any well-recognized religious sect or organization at present organized and existing and whose existing creed or principles forbid its members to participate in war in any form and whose religious convictions are against war or participation therein in accordance with the creed or principles of said religious organizations, but no person so exempted shall be exempted from service in any capacity that the President shall declare to be noncombatant; and the President is hereby authorized to exclude or discharge from said selective draft and from the draft under the second paragraph of section one hereof, or to draft for partial military service only from those liable to draft as in this Act provided, persons of the following classes: County and municipal officials; customhouse clerks; persons employed by the United States in the transmission of the mail; artificers and workmen employed in the armories, arsenals, and navy yards of the United States, and such other persons employed in the service of the United States as the President may designate; pilots; mariners actually employed in the sea service of any citizen or merchant within the United States; persons engaged in industries, including agriculture, found to be necessary to the maintenance of the Military Establishment or the effective operation of the military forces or the maintenance of national interest during the emergency; those in a status with respect to persons dependent upon them for support which renders their exclusion or discharge advisable; and those found to be physically or morally deficient. No exemption or exclusion shall continue when a cause therefor no longer exists: *Provided*, That notwithstanding the exemptions enumerated herein, each State, Territory, and the District of Columbia shall be required to supply its quota in the proportion that its population bears to the total population of the United States.

The President is hereby authorized, in his discretion, to create and establish throughout the several States and subdivisions thereof and in the Territories and the District of Columbia local boards, and where, in his discretion, practicable and desirable, there shall be created and established one such local board in each county or similar subdivision in each State, and one for approximately each thirty thousand of population in each city of thirty thousand population or over, according to the last census taken or estimates furnished by the Bureau of Census of the Department of Commerce. Such boards shall be appointed by the President, and shall consist of three or more members, none of whom shall be connected with the Military Establishment, to be chosen from among the local authorities of such subdivisions or from other citizens residing in the subdivision or area in which the respective boards will have jurisdiction under the rules and regulations prescribed by the President. Such boards shall have power within their respective jurisdictions to hear and determine, subject to review as hereinafter provided, all questions of exemption under this Act, and

all questions of or claims for including or discharging individuals or classes of individuals from the selective draft, which shall be made under rules and regulations prescribed by the President, except any and every question or claim for including or excluding or discharging persons or classes of persons from the selective draft under the provisions of this Act authorizing the President to exclude or discharge from the selective draft "Persons engaged in industries, including agriculture, found to be necessary to the maintenance of the Military Establishment, or the effective operation of the military forces, or the maintenance of national interest during the emergency."

The President is hereby authorized to establish additional boards, one in each Federal judicial district of the United States, consisting of such number of citizens, not connected with the Military Establishment, as the President may determine, who shall be appointed by the President. The President is hereby authorized, in his discretion, to establish more than one such board in any Federal judicial district of the United States, or to establish one such board having jurisdiction of an area extending into more than one Federal judicial district.

Such district boards shall review on appeal and affirm, modify, or reverse any decision of any local board having jurisdiction in the area in which any such district board has jurisdiction under the rules and regulations prescribed by the President. Such district boards shall have exclusive original jurisdiction within their respective areas to hear and determine all questions or claims for including or excluding or discharging persons or classes of persons from the selective draft, under the provisions of this Act, not included within the original jurisdiction of such local boards.

The decisions of such district boards shall be final except that, in accordance with such rules and regulations as the President may prescribe, he may affirm, modify or reverse any such decision.

Any vacancy in any such local board or district board shall be filled by the President, and any member of any such local board or district board may be removed and another appointed in his place by the President, whenever he considers that the interest of the nation demands it.

The President shall make rules and regulations governing the organization and procedure of such local boards and district boards, and providing for and governing appeals from such local boards to such district boards, and reviews of the decisions of any local board by the district board having jurisdiction, and determining and prescribing the several areas in which the respective local boards and district boards shall have jurisdiction, and all other rules and regulations necessary to carry out the terms and provisions of this section, and shall provide for the issuance of certificates of exemption, or partial or limited exemptions, and for a system to exclude and discharge individuals from selective draft.

Sec. 5. That all male persons between the ages of twenty-one and thirty, both inclusive, shall be subject to registration in accordance with regulations to be prescribed by the President; and upon proclamation by the President or other public notice given by him or by his direction stating the time and place of such registration it shall be the duty of all persons of the designated ages, except officers and enlisted men of the Regular Army, the Navy, and the National Guard and Naval Militia while in the service of the United States, to present themselves for and submit to registration under the provisions of this Act; and every such person shall be deemed to have notice of the requirements of this Act upon the publication of said proclamation or other notice as aforesaid given by the President or by his direction; and any person who shall willfully fail or refuse to present himself for registration or to submit

thereto as herein provided, shall be guilty of a misdemeanor and shall, upon conviction in the district court of the United States having jurisdiction thereof, be punished by imprisonment for not more than one year, and shall thereupon be duly registered: *Provided*, That in the call of the docket precedence shall be given, in courts trying the same, to the trial of criminal proceedings under this Act: *Provided further*, That persons shall be subject to registration as herein provided who shall have attained their twenty-first birthday and who shall not have attained their thirty-first birthday on or before the day set for the registration, and all persons so registered shall be and remain subject to draft into the forces hereby authorized, unless exempted or excused therefrom as in this Act provided: *Provided further*, That in the case of temporary absence from actual place of legal residence of any person liable to registration as provided herein such registration may be made by mail under regulations to be prescribed by the President.

SEC. 6. That the President is hereby authorized to utilize the service of any or all departments and any or all officers or agents of the United States and of the several States, Territories, and the District of Columbia, and subdivisions thereof, in the execution of this Act, and all officers and agents of the United States and of the several States, Territories, and subdivisions thereof, and of the District of Columbia, and all persons designated or appointed under regulations prescribed by the President whether such appointments are made by the President himself or by the governor or other officer of any State or Territory to perform any duty in the execution of this Act, are hereby required to perform such duty as the President shall order or direct, and all such officers and agents and persons so designated or appointed shall hereby have full authority for all acts done by them in the execution of this Act by the direction of the President. Correspondence in the execution of this Act may be carried in penalty envelopes bearing the frank of the War Department. Any person charged as herein provided with the duty of carrying into effect any of the provisions of this Act or the regulations made or directions given thereunder who shall fail or neglect to perform such duty; and any person charged with such duty or having and exercising any authority under said Act, regulations, or directions, who shall knowingly make or be a party to the making of any false or incorrect registration, physical examination, exemption, enlistment, enrollment, or muster; and any person who shall make or be a party to the making of any false statement or certificate as to the fitness or liability of himself or any other person for service under the provisions of this Act, or regulations made by the President thereunder, or otherwise evades or aids another to evade the requirements of this Act or of said regulations, or who, in any manner, shall fail or neglect fully to perform any duty required of him in the execution of this Act, shall, if not subject to military law, be guilty of a misdemeanor, and upon conviction in the district court of the United States having jurisdiction thereof, be punished by imprisonment for not more than one year, or, if subject to military law, shall be tried by court-martial and suffer such punishment as a court-martial may direct.

SEC. 7. That the qualifications and conditions for voluntary enlistment as herein provided shall be the same as those prescribed by existing law for enlistments in the Regular Army, except that recruits must be between the ages of eighteen and forty years, both inclusive, at the time of their enlistment; and such enlistments shall be for the period of the emergency unless sooner discharged. All enlistments, including those in the Regular Army Reserve, which are in force on the date of the approval of this Act and which would terminate during the emergency shall continue in force during the emergency unless sooner discharged; but nothing herein contained shall be

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